

SAN DIEGO REGIONAL CRIME / INCIDENT REPORT

INCIDENT NUMBER
13060000530
CASE NUMBER
13021570

PAGE
1 OF 9

RELATED REPORTS: ☐ N
ADDN'L PROPERTY: ☐ N
ADDN'L OFFENSES LISTED IN NARR.: ☐ N

BEAT 614 DISTRICT DATE 06/01/2013 DAY OF WEEK Sat TIME 09:12

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)
PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT

LOCATION OF INCIDENT (OR ADDRESS) CITY San Diego

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W-DC RP

W-TYPE 06 RESIDENCE ADDRESS CITY STATE ZIP

RESIDENCE PHONE RACE SEX DATE OF BIRTH ID TYPE ID NUMBER INTERPRETER REQUIRED ☐ N RELATION TO: VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY) BUSINESS PHONE DAYS OFF WORK HRS. V/W ASSIST ☐ N

BUSINESS OR MILITARY ADDRESS CITY STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W-DC RP

W-TYPE 06 RESIDENCE ADDRESS CITY STATE ZIP

RESIDENCE PHONE RACE SEX DATE OF BIRTH ID TYPE ID NUMBER INTERPRETER REQUIRED ☐ N RELATION TO: VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY) BUSINESS PHONE DAYS OFF WORK HRS. V/W ASSIST ☐ N

BUSINESS OR MILITARY ADDRESS CITY STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

TOTAL # OF WITNESSES AT CRIME: 4 PLACE OF ATTACK: 6. Other: N/A

DESCRIPTION OF SURROUNDING AREA: 9. Other: N/A

W SPECIFY: handgun HOW USED: point

W SPECIFY: HOW USED:

TYPE OF STRUCTURE POINT OF ENTRY SECURITY USED SUSPECT ACTIONS

N/A 0. N/A 0. N/A 17. FORCED VICTIM TO MOVE

TARGET(S) TYPE LOCK ATTACKED

0. N/A

VICTIM INJURED: ☐ N EXTENT OF TREATMENT: SIC: NO, probably is: ADULT

REPORTING OFFICER GUDROY I.D.# 6301 DIVISION W1 DETECTIVE(S) ASSIGNED I.D.# DIVISION

DATE AND TIME OF REPORT DATE: 06/01/2013 TIME: 10:27 CASE STATUS 131 AGENCY SDPD CRIME TYPE PC / 245A2

M. O. INFORMATION

ADMIN

PAGE		2 OF 9		CASE NUMBER										
		13021570												
PROPERTY	ITEM NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION		VALUE					
	1													
	2													
	3													
4														
SUSPECT (S)	ARRESTED SUSPECT #1 (LAST, FIRST, MIDDLE)													
	<input type="checkbox"/> N		Cargnon, Giacomo											
	NICKNAME/AKA					ID TYPE	ID NUMBER							
	SUSPECT'S ADDRESS					CITY	STATE ZIP							
	PHONE		RACE W	SEX M	AGE 21	DOB 10/09/1991	HT. 5'10" - 5'11"	WT. 160 - 165	BUILD THI	HAIR COLOR BRO	EYE COLOR HZL			
	ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)													
	SUSPECT'S CLOTHING Shirtless													
	HAIR LGTH/TYPE		HAIR STYLE		FACIAL HAIR		COMPLEXION		GENERAL APPEARANCE		DEMEANOR	SPEECH	VOICE	
	0. UNKNOWN		11. OTHER		0. UNKNOWN		0. UNKNOWN		0. UNKNOWN		0. UNKNOWN		0. UNKNOWN	
6. OTHER														
0. UNKNOWN		0. UNKNOWN												
SUSPECT VEHICLE		YEAR		MAKE		MODEL		COLOR / COLOR		TYPE		LICENSE NO.		LIC STATE
ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)									VIN		VEHICLE IMPOUND		TOWING COMPANY	
EVIDENCE	EVIDENCE 0. NONE OBTAINED													
	See Investigative Addendum for Details													
	TAG NOS.										ADDNL PERSONS LISTED		WITNESS CHECK	
										<input type="checkbox"/> N		<input type="checkbox"/> Y		
NARRATIVE	ADDITIONAL OFFENSES:													
	HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT/ WITNESS CHECKS; INJURIES / PROPERTY DAMAGE													
officer assault:		OAK ZZ		Number Officers		0		Activity when assault occurred:						
				Number Officers without personal injury		0								
ARSON	ARSON TYPE:													
	DESCRIPTION				CONTENT LOSS \$.00		STRUCT LOSS \$.00		ABANDON <input type="checkbox"/> N	

**SAN DIEGO REGIONAL
ADDITIONAL VICTIMS AND/OR WITNESSES
AND OTHER PEOPLE ASSOCIATED WITH THE CRIME**

PAGE
3 OF 9

CASE NUMBER
13021570

LOCATION OF INCIDENT (OR ADDRESS)

CITY
San Diego

BEAT
614

DISTRICT

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W

W-TYPE RESIDENCE ADDRESS
06

CITY

STATE ZIP

RESIDENCE PHONE

RACE

SEX

DATE OF BIRTH

ID TYPE

ID NUMBER

INTERPRETER
REQUIRED

RELATION TO:
VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY)

BUSINESS PHONE

DAYS OFF

WORK HRS.

V/W ASSIST

BUSINESS OR MILITARY ADDRESS

CITY

STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W

W-TYPE RESIDENCE ADDRESS
06

CITY

STATE ZIP

RESIDENCE PHONE

RACE

SEX

DATE OF BIRTH

ID TYPE

ID NUMBER

INTERPRETER
REQUIRED

RELATION TO:
VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY)

BUSINESS PHONE

DAYS OFF

WORK HRS.

V/W ASSIST

BUSINESS OR MILITARY ADDRESS

CITY

STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W

W-TYPE RESIDENCE ADDRESS

CITY

STATE ZIP

RESIDENCE PHONE

RACE

SEX

DATE OF BIRTH

ID TYPE

ID NUMBER

INTERPRETER
REQUIRED

RELATION TO:
VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY)

BUSINESS PHONE

DAYS OFF

WORK HRS.

V/W ASSIST

BUSINESS OR MILITARY ADDRESS

CITY

STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W

W-TYPE RESIDENCE ADDRESS

CITY

STATE ZIP

RESIDENCE PHONE

RACE

SEX

DATE OF BIRTH

ID TYPE

ID NUMBER

INTERPRETER
REQUIRED

RELATION TO:
VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY)

BUSINESS PHONE

DAYS OFF

WORK HRS.

V/W ASSIST

BUSINESS OR MILITARY ADDRESS

CITY

STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)

W

W-TYPE RESIDENCE ADDRESS

CITY

STATE ZIP

RESIDENCE PHONE

RACE

SEX

DATE OF BIRTH

ID TYPE

ID NUMBER

INTERPRETER
REQUIRED

RELATION TO:
VICTIM / SUSPECT

STATUS EMPLOYER (RANK IF MILITARY)

BUSINESS PHONE

DAYS OFF

WORK HRS.

V/W ASSIST

BUSINESS OR MILITARY ADDRESS

CITY

STATE ZIP

ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)

REPORTING OFFICER
GUDROY

I.D.
6301

DATE
06/01/2013

CONTINUED Y

INCIDENT NUMBER
13060000530

PAGE
4 OF 9

CASE NUMBER
13021570

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)					

PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT

LOCATION OF INCIDENT (OR ADDRESS)

CITY	DATE	DAY OF WEEK	TIME	BEAT
San Diego	06/01/2013	Sat	09:12	614

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

Cagnon, Giacomo

PROPERTY TAG NO(S)

Officer's Investigation:

I conducted the following attempts to locate, collect and preserve evidence from the crime scene at

I made an effort to locate physical evidence YES

LATENT PRINTS:

If YES, what areas were printed with what results:

Location

of Prints Lifted

Disposition

NONE FOUND

REPORTING OFFICER
GUDROY

I.D.#
6301

DIVISION
W1

DATE OF REPORT	TIME
06/01/2013	10:27

OTHER PHYSICAL EVIDENCE:

I made other attempts to locate physical evidence at the scene. ☐ NO

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Continue with additional witness / evidence check information on another Investigation Addendum Report.

CONTINUED

Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 6 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
Location Of Incident (Or Address) [REDACTED]			City San Diego		Time 09:12
Person(s) Involved: Victim [REDACTED]			District [REDACTED]		Beat 614
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

SYNOPSIS:

On 06-01-13, at approximately 0912 hours, [REDACTED] and Giacomo Cargnoni were involved in a verbal altercation regarding property that was taken from [REDACTED] in the past. The altercation escalated to a scuffle on the floor. During the scuffle, Cargnoni produced a box cutter. [REDACTED] managed to knock the box cutter out of Cargnoni's hand. Cargnoni ran out of the apartment and [REDACTED] ran after him. Cargnoni ran to his vehicle parked in the alley and produced a dark colored handgun from the passenger side of the vehicle. Initially Cargnoni pointed the gun to his neck and threatened to shoot himself if [REDACTED] did not back off. Cargnoni turned the gun from himself and pointed it at [REDACTED]. Cargnoni shoved the gun toward [REDACTED] body to push [REDACTED] away and the gun made contact with [REDACTED]. [REDACTED] turned to walk away and Cargnoni pointed the gun toward the back of [REDACTED] neck. The gun made contact with [REDACTED] neck. [REDACTED] walked away and Cargnoni got into his vehicle and drove off from the scene.

ORIGIN:

On 06-01-13, at approximately 0912 hours, I responded to [REDACTED] regarding a male at that location with a handgun. [REDACTED] reported the incident and called communications.

INVESTIGATION:

While in route to the scene per the incident, the male with a handgun was last seen in a gray four door Volkswagen and driving northbound on Sunset Cliffs Boulevard from the scene located at [REDACTED]. The male was described to be an adult white male, shirtless and wearing sweatpants.

Upon arrival at the scene, I was flagged down by a [REDACTED] later identified as [REDACTED]. [REDACTED] briefly told me that a male acquaintance who he verbally identified as "Giacomo" pointed a handgun to the back of his head during a physical altercation. I obtained his statement.

[REDACTED] told me that Giacomo had stayed in his home on four different occasions in the past, but only as a visitor. [REDACTED] had property taken from his home including a debit card and he suspected that Giacomo was responsible for it.

This morning, [REDACTED] woke up and found Giacomo in his room and asleep on the floor beside his bed. [REDACTED] believes that Giacomo may have let himself in through an unlocked front door. [REDACTED] confronted Giacomo regarding him being there and regarding property taken from his home in the past. An argument ensued and escalated into a scuffle on the bedroom floor. During the scuffle, Giacomo

Reporting Officer GUDON	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 7 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
Location Of Incident (Or Address) [REDACTED]			City San Diego		Time 09:12
Person(s) Involved: Victim [REDACTED], Brendan Michael			District		Beat 614
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

produced a box cutter. [REDACTED] wrestled with him on the floor and managed to knock the box cutter out of Giacomo's hand.

Giacomo ran out of the apartment and [REDACTED] ran after him. Giacomo ran south on Sunset Cliffs Boulevard and [REDACTED] came back to his apartment. Shortly after, [REDACTED] saw Giacomo walking to his vehicle parked in the alley. Giacomo jumped into the front passenger side of this vehicle and came out with a handgun. He pointed the gun at [REDACTED] told him to go away. Giacomo shoved the barrel end of the gun toward [REDACTED] several times to push him away. [REDACTED] turned to walk away and Giacomo pointed the gun to the back of [REDACTED] neck and again shoving the barrel end of the gun into the back of his neck. Giacomo got into his vehicle and drove off northbound on Sunset Cliffs Boulevard (for further see below statement).

Upon completing his statement, [REDACTED] informed me that a neighbor in unit [REDACTED] along with a female companion witness the incident that took place outside of the apartment. They were later identified as [REDACTED] and [REDACTED] and [REDACTED] were at the scene. I spoke to them and obtained their statement (For further details see below statement).

Upon completing their statement, a male later identified as [REDACTED] approached me and told me he was inside his apartment (Unit # [REDACTED] when he heard an altercation outside. He came out of his apartment and witnessed the altercation between [REDACTED] and Giacomo in the alley. I obtained his statement (For further details see below statement).

There were no other witnesses at the scene. I provided [REDACTED] with the case number for the incident.

Officers Campbell and Peregrina arrived onscene and assisted with the processing of the crime scene and took photographs and recovered the t-shirt left behind by Giacomo. See Officers Campbell and Peregrina's Arjis-9 reports for further details.

Detective Navarro-Moran from Homicide arrived onscene and interviewed the reporting party and witnesses.

BACKGROUND:

None.

STATEMENTS:

Statement of [REDACTED] (Victim):

Reporting Officer GUDON	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 8 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
Location Of Incident (Or Address) [REDACTED]			City San Diego		District Beat 614
Person(s) Involved: Victim [REDACTED], Brendan Michael					
Suspect (If Named) Gargnon, Giacomo					
Property Tag No.(s)					

[REDACTED] essentially told me the following:

'Giacomo' has visited my apartment approximately four times in the past. He has never lived here and he was no longer welcomed because I believe he took some property from my apartment including a debit card. I don't know how he got in or who let him in. I left the front door unlocked last night so he may have let himself in. But this morning, I woke up and found him asleep on the floor beside my bed. I jumped on him because he was not allowed in my apartment and he took some stuff from me. We scuffled on the floor and he took out a box cutter. He was holding the box cutter in his hand. I was holding him down on the floor and on top of him and at the same time holding the hand with the box cutter down on the floor. I managed to knock it out of his hand and he got up and ran. I ran after him and held on to his shirt. His shirt came off as I was pulling it and he ran out. I chased him but he ran a block down. I walked back to my apartment and saw him walking back toward the alley behind my apartment. He walked to his car that was parked in the alley and jumped into the front passenger side of the car. He came out and he had a handgun in his hand. He pointed the gun at me and kept telling me to go away. Several times he shoved the gun toward my body and pushed me with it. I turned to walk away and that's when he shoved the gun to the back of my neck. I felt the tip of the gun on my neck. He got in his car and drove off. The gun appeared to be a mid-size handgun and dark in color. It appeared to be a semi-auto and not a revolver.

Statement of [REDACTED] and [REDACTED] (Witnesses):

[REDACTED] and [REDACTED] essentially told me the following:

We were just walking back to the apartment when we saw [REDACTED] running out of the apartment after Giacomo. [REDACTED] came back and we also saw Giacomo walking back. [REDACTED] saw Giacomo walking toward his car and [REDACTED] chased after him. We did not see where he got the gun but Giacomo was holding a gun to his ([REDACTED]) neck. We were telling [REDACTED] just to walk away from him. [REDACTED] turned away from him and that's when Giacomo pointed the gun at him. They were standing very close together maybe two feet away from each other when he pointed the gun. The gun was dark colored and medium size.

Statement of [REDACTED] (Witness):

[REDACTED] essentially told me the following:

I was inside my apartment when I heard [REDACTED] screaming "Motherfucker!" I came out and saw him arguing with Giacomo in the middle of the street. [REDACTED] ran after him and they both

Reporting Officer GUDOY	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 9 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
Location Of Incident (Or Address) [REDACTED]			City San Diego		District Beat 614
Person(s) Involved: Victim [REDACTED], Brendan Michael					
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

eventually made it into the alley. Giacomo went into his car and grabbed a gun. At first he was pointing the gun to his neck and he kept telling [REDACTED] to go away or he was going to shoot himself. [REDACTED] told him, "I'm gonna get you!" That's when he pointed the gun at [REDACTED] and told him to back away. [REDACTED] walked away and Giacomo got in his car and drove off.

EVIDENCE:

None.

INJURIES:

None.

PROPERTY DAMAGE:

None.

FOLLOW-UP:

Per Detectives.

RELATED REPORTS:

Officer D. Campbell Arjis-9 Report
Officer E. Peregrina Arjis-9 Report

Approved By: A/Sgt.Tagaban

Reporting Officer GUDOY	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued Y

SAN DIEGO REGIONAL CRIME / INCIDENT REPORT

C R I M E		RELATED REPORTS <input type="checkbox"/> N	ADDN'L PROPERTY <input type="checkbox"/> N	ADDN'L OFFENSES LISTED IN NARR. <input type="checkbox"/> N	INCIDENT NUMBER 13060000530		
	BEAT 123	DISTRICT	DATE 06/01/2013		PAGE 1 OF 5	CASE NUMBER 13021594	
DAY OF WEEK Sat							
TIME 09:22							
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) ZZ / 981000 / MISCELLANEOUS INCIDENTS							
LOCATION OF INCIDENT (OR ADDRESS) 100 SEA WORLD DR						CITY San Diego	
V I C T I M / W I T N E S S	V	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) Butera, Richard Frank					
	W-TYPE 16	RESIDENCE ADDRESS 5215 GAINES ST				CITY San Diego	STATE ZIP Ca 92110
	RESIDENCE PHONE		RACE W	SEX M	DATE OF BIRTH [REDACTED]	ID TYPE SD	ID NUMBER 5876
					INTERPRETER REQUIRED <input type="checkbox"/> N	RELATION TO: VICTIM / SUSPECT	
	STATUS E	EMPLOYER (RANK IF MILITARY) San Diego Police Dept.			BUSINESS PHONE [REDACTED]	DAYS OFF VARY	WORK HRS. VARY
							V/W ASSIST <input type="checkbox"/> Y
	BUSINESS OR MILITARY ADDRESS 5215 GAINES ST				CITY San Diego	STATE ZIP Ca 92110	
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)						
	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)						
	W-TYPE RESIDENCE ADDRESS CITY STATE ZIP						
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	
				INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT		
STATUS	EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE	DAYS OFF	WORK HRS.	
						V/W ASSIST <input type="checkbox"/>	
BUSINESS OR MILITARY ADDRESS				CITY	STATE ZIP		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)							
M. O. I N F O R M A T I O N	TOTAL # OF WITNESSES AT CRIME: 0 PLACE OF ATTACK: 3. Street/Alley						
	DESCRIPTION OF SURROUNDING AREA: 9. Other: Two Lane Highway						
	W	SPECIFY: knife				HOW USED: threat	
	W	SPECIFY: gun				HOW USED: threat	
	TYPE OF STRUCTURE		POINT OF ENTRY		SECURITY USED		
	Non-Residential		0. N/A		56. USED THREATS		
			0. N/A				
			0. N/A				
	TARGET(S) 5. PERSON						
			TYPE LOCK ATTACKED				
		0. N/A					
A D M I N	VICTIM INJURED: <input type="checkbox"/> N		EXTENT OF TREATMENT:		SIC: NO, probably Is: ADULT		
	REPORTING OFFICER DEL TORO		I.D.# 4754	DIVISION INV_HOMICIDE	DETECTIVE(S) ASSIGNED		I.D.# DIVISION
	DATE AND TIME OF REPORT DATE: 06/03/2013 TIME: 07:25				CASE STATUS 131	AGENCY SDPD	CRIME TYPE ZZ / 981000

PAGE 2 OF 5		CASE NUMBER 13021594								
PROPERTY	ITEM. NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION	VALUE		
	1									
	2									
	3									
	4									
SUSPECT(S)	ARRESTED <input type="checkbox"/> SUSPECT #1 (LAST, FIRST, MIDDLE) <input checked="" type="checkbox"/> N Cargnoni, Giacomo James									
	NICKNAME/AKA				ID TYPE	ID NUMBER				
	SUSPECT'S ADDRESS				CITY	STATE	ZIP			
	PHONE	RACE W	SEX M	AGE 21	DOB 10/09/1991	HT. 5'10"	WT. 160	BUILD THI	HAIR COLOR BRO	EYE COLOR HZL
	ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)									
	SUSPECT'S CLOTHING black sweatpants									
	HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE		
	5. SHORT	9. WAVY/CURLY	9. UNSHAVEN	4. LIGHT		5. IRRATIONAL	0. UNKNOWN	0. UNKNOWN		
	2. FINE				10. OTHER					
	SUSPECT VEHICLE	YEAR 2012	MAKE VOLKSWAGEN	MODEL JETTA	COLOR / COLOR GRAY / GRAY	TYPE SEDAN (NUMBE	LICENSE NO. [REDACTED]	LIC STATE CA		
ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.) Impounded as evidence				VIN	VEHICLE IMPOUND <input checked="" type="checkbox"/> Y	TOWING COMPANY ROAD ONE				
EVIDENCE	EVIDENCE OBTAINED 9. OTHER shotgun casings, wea									
	See Investigative Addendum for Details									
	TAG NOS. 1306000530					ADD'L PERSONS LISTED <input checked="" type="checkbox"/> N			WITNESS CHECK <input checked="" type="checkbox"/> Y	
NARRATIVE	ADDITIONAL OFFENSES:									
	HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT/ WITNESS CHECKS; INJURIES / PROPERTY DAMAGE									
officer assault:		OAK ZZ	Number Officers		0		Activity when assault occurred:			
			Number Officers without personal Injury		0					
ARSON	ARSON TYPE:									
	DESCRIPTION			CONTENT LOSS \$.00	STRUCT LOSS \$.00	ABANDON <input checked="" type="checkbox"/> N	CONTINUED <input checked="" type="checkbox"/> Y	

INCIDENT NUMBER
13060000530

CONTINUED FROM
CRIME REPORT

PAGE

3 OF 5

CASE NUMBER

CASE NUMBER
13021594

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)	

ZZ / 981000 / MISCELLANEOUS INCIDENTS

LOCATION OF INCIDENT (OR ADDRESS)

100 SEA WORLD DR

CITY

San Diego

DATE _____

06/01/2013

DAY OF WEEK

Sat

TIME

09:22

BEAT

123

PERSON(S) INVOLVED: VICTIM

Butera, Richard Frank

SUSPECT (IF NAMED)

Cargnoni, Giacomo James

PROPERTY TAG NO(S)

1306000530

Officer's Investigation:

I conducted the following attempts to locate, collect and preserve evidence from the crime scene at

100 SEA WORLD, San Diego

I made an effort to locate physical evidence

☐ YES

LATENT PRINTS:

If YES, what areas were printed with what results:

Location

of Prints Lifted

Disposition

NONE FOUND

REPORTING OFFICER

DEL TORO

I.D.#

4754

DIVISION

INV_HOMICIDE	
--------------	--

DATE OF REPORT

06/03/2013

TIME

07:25

OTHER PHYSICAL EVIDENCE:

I made other attempts to locate physical evidence at the scene. ☐ NO

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description	By Whom
shotgun casings, weapons, phot	5869
How Marked	Disposition
date, time, location, name	Impounded
Location Found:	In and around vehicle
Tag Number:	1306000530

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Continue with additional witness / evidence check information on another Investigation Addendum Report.

CONTINUED

☐ Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 5 of 5				Case Number 13021594	
Code Section And Description (one incident only) ZZ / 981000 / MISCELLANEOUS INCIDENTS			Date 6/1/2013	Day of Week Sat -	Time 09:22 -
Location Of Incident (Or Address) 100 SEA WORLD DR			City San Diego	District	Beat 123
Person(s) Involved: Victim Butera , Richard Frank					
Suspect (If Named) Cargnoni , Giacomo James					
Property Tag No.(s) 1306000530					

SYNOPSIS:

Giacomo CARGNONI threatened [REDACTED] with a gun at [REDACTED] per SDPD case number 13-021570. In response to that incident, citizens called police. Police responded and contacted CARGNONI in his vehicle in the area of 100 Sea World Dr. Police initiated a "vehicle hot-stop." CARGNONI did not cooperate with police commands and he pointed his knife at the police as if he were holding a handgun. Believing CARGNONI was going to shoot at police officers, Officer Richard BUTERA fired his shotgun two times at CARGNONI.

Homicide Team 5 was assigned the incident for investigation. For complete details of the case, see the Homicide Team 5 investigative binder.

Reporting Officer DEL TORO	ID # 4754	Division INV_HOMICIDE	Approved By	Date of Report 6/3/2013	Time 07:25
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Continued N

San Diego Police Department: Case Cancellation

Type of
Crime/Incident

981000 ZZ

Case #

13021594

Victim

Butera, Richard Frank

Case Part of Series

☐

Occurrence Date

06/01/2013

(Leave blank if no series)

Type of Cancellation
Disposition

Exceptional: Other (such as subject is dead)

Additional Arrests

☐

Charge Level

Persons Arrested

Last

First

Middle

Date

Booking Number

Detective Arrest

☐

Patrol Arrest

☐

Charged

☐

Not Charged

☒

Property Recovered

None

☐

Partial

☐

Value Recovered

Full

☒

Was ARJIS-4 Completed

Yes

☐

No

☒

Investigator:

4754 -Del Toro, Manuel

Date

04/03/2014

Approved By:

5170 - Hastings, Michael

Date

04/08/2014

List Additional Cases to Be Cancelled:

13-021595

Narrative:

Officer Richard BUTERA shot and killed Giacomo CARGNONI after CARGNONI pointed a knife at officers in a threatening manner. CARGNONI used the knife in a manner consistent with how a gun is used as if he was inviting officers to shoot him. CARGNONI had also expressed a desire to commit suicide to his friends within a day of the shooting. Officer BUTERA was not injured in the incident and the San Diego District Attorney has cleared him of any criminal liability in the shooting.



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



FORENSIC BIOLOGY UNIT LABORATORY REPORT

VICTIM: BUTERA, Richard, ID #5876
SUSPECT: CARGNONI, Giacomo
CHARGE: 245 PC
CASE #: 13-021594
INCIDENT#: 13060000530
HOMICIDE: Detective C. Leahy, ID #5869
CRIMINALIST: David Cornacchia
DATE OF REPORT: September 3, 2013

EVIDENCE EXAMINED

Barcode #

10238968 One (1) swab from the blade of the knife (10233622).
This swab was consumed for DNA analysis.

10238970 One (1) swab from the handle of the knife (10233622).
This swab was consumed for DNA analysis.

10238971 One (1) swab from the textured areas of the handgun (10233630).
This swab was consumed for DNA analysis.

10238972 One (1) swab from the entire surface of the handgun (10233630).
This swab was consumed for DNA analysis.

10238973 One (1) swab from the entire surface of the magazine (10233630).
This swab was consumed for DNA analysis.

10233649 Two (2) reference mouth swabs obtained from Giacomo Cargnoni.
A portion of one swab was extracted for DNA analysis.

SUMMARY OF ANALYTICAL PROCEDURES

1. Qiagen BioRobot EZ1 magnetic bead based DNA purification.
2. Quantitative PCR using Applied Biosystems' Quantifiler Duo kit.
3. PCR DNA amplification using Applied Biosystems' Identifiler Plus kit.
4. Capillary electrophoresis and analysis of amplified DNA using the ABI 3130 Genetic Analyzer.

RESULTS

See attached Table 1 for DNA typing results.

FORENSIC BIOLOGY UNIT

Case #13-021594

September 3, 2013

Page 2 of 3

CONCLUSIONS

1. Mixtures of DNA from three or more individuals were obtained from the swab of the handle of the knife (10238970), and both of the swabs from the handgun (10238971 and 10238972). The predominant DNA profile in these mixtures matches the DNA obtained from Giacomo Cargnoni. The approximate probabilities of selecting an individual, at random, that matches this DNA profile are expressed in the following table:

Population Group	Probability
Caucasian	1 in 8.7 quintillion
African American	1 in 250 quintillion
Hispanic	1 in 16 quintillion


Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in the databases of the Combined DNA Index System (CODIS).

DNA profile frequency calculations were generated using population data taken from the Journal of Forensic Sciences 1999, 44(6), 1277-1286. The data for the D2S1338 and D19S433 loci was taken from Forensic Science Communications 2001, 3(3).

2. A mixture of DNA from three or more individuals was obtained from the swab of the knife blade (10238968). Giacomo Cargnoni is included as a possible major contributor to this mixture. Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in CODIS.
3. A low level mixture of DNA from two or more individuals was obtained from the swab of the magazine (10238973). Due to the number of possible low level contributors to this mixture, the results are unsuitable for comparisons or for searching in CODIS.


DISPOSITION OF EVIDENCE

All items were returned to the Property Room. Remaining extracted DNA was impounded on Barcode #10264331.


David Cornacchia ID# 8815

Criminalist

September 3, 2013

Technical Review 

Date 9/5/13

Administrative Review 

Date 9/6/13

Table 1 - DNA Typing Results

Description	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	Amel	DS818	FGA
10238968 Swab from the blade of the knife	10, 13, 14	29, 30, 30.2, 32.2 [31.2]*	8, 10	10, 12, 13*	15, 16, 18	7, 8 [6]	11, 12	11 [13]	16*, 17, 18, 23*	13, 14	15, 16*, 18*, 19	8*, 11, 12	12*, 14 [18]*	X, Y	11, 12, 13	19, 21*, 23
10238970 Swab from the handle of the knife	10, 14 [12]*, [13]*, [16]*	29, 30*, 32.2	10	10*, 11*, 12	15*, 16, 18 [17]*, [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18*	13, 14 [15]*	15, 16*, 19	8*, 11*, 12*	14	X, Y	11, 13	19*, 23*
10238971 Swab of textured area of handgun	10, 14 [12]*, [13]*, [15]*	29, 32.2	10	10, 12	16, 17*, 18 [15]*	7, 8 [9.3]*	11, 12 [8]*, [10]*, [13]*	11 [9]*	17, 18*	13, 14 [12]*	14*, 15, 19	8*, 11, 12*	14	X, Y	9*, 11, 12*, 13	19*, 23*
10238972 Swab from entire surface of the handgun	10, 14 [12]*, [13], [16]*	29, 32.2 [30]*, [33.2]*	10	10, 12 [11]*	16, 18 [14]*, [15], [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18 [23]*	13, 14 [15]*	15, 19 [16]*, [17]*	11, 12 [8]*	14	X, Y	11, 13 [12]*	19, 23 [21]*, [24]*
10238973 Swab from entire surface of magazine	10, 13*, 14	29*, 31*, 32.2	10, 11*	10*, 11*, 12*	15*, 16, 17*, 18	7, 8*, 9.3*	11, 12 [8]*	11	17*, 18*, 19*	13, 14, 15*	15*, 16*, 17*, 19*	8*, 11*, 12*	14	X, Y	11, 13*	19*, 23*, 24*
10233649 Reference sample: Giacomo Cargnoni	10, 14	29, 32.2	10	10, 12	16, 18	7, 8	11, 12	11	17, 18	13, 14	15, 19	11, 12	14	X, Y	11, 13	19, 23

[] = allele likely from a minor contributor

* = allele that was detected in the stochastic range

C R I M E	<div style="display: flex; justify-content: space-between;"> <div> RELATED REPORTS <input type="checkbox"/> Y ADDN'L PROPERTY <input type="checkbox"/> N ADDN'L OFFENSES LISTED IN NARR. <input type="checkbox"/> N </div> <div style="text-align: center;"> SAN DIEGO REGIONAL CRIME / INCIDENT REPORT </div> <div> INCIDENT NUMBER 13060000530 CASE NUMBER 13021595 </div> </div>		PAGE 1 OF 5		
	BEAT 123	DISTRICT	DATE 06/01/2013	DAY OF WEEK Sat	TIME 09:22
	CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT				
LOCATION OF INCIDENT (OR ADDRESS) 100 SEA WORLD DR					CITY San Diego
V I C T I M / W I T N E S S	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) Butera, Richard Frank				
	W-TYPE 16	RESIDENCE ADDRESS 5215 GAINES ST		CITY San Diego	STATE ZIP Ca 92110
	RESIDENCE PHONE	RACE W	SEX M	DATE OF BIRTH	ID TYPE SD ID NUMBER 5876
	STATUS E		EMPLOYER (RANK IF MILITARY) San Diego Police Dept.	BUSINESS PHONE (619)692-4800	DAYS OFF VARY WORK HRS. VARY V/W ASSIST <input type="checkbox"/> Y
	BUSINESS OR MILITARY ADDRESS				
	CITY STATE ZIP				
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)				
	VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)				
	W-TYPE	RESIDENCE ADDRESS		CITY	STATE ZIP
	RESIDENCE PHONE	RACE	SEX	DATE OF BIRTH	ID TYPE SD ID NUMBER 5876
STATUS E		EMPLOYER (RANK IF MILITARY) San Diego Police Dept.	BUSINESS PHONE (619)692-4800	DAYS OFF VARY WORK HRS. VARY V/W ASSIST <input type="checkbox"/> Y	
BUSINESS OR MILITARY ADDRESS					
CITY STATE ZIP					
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)					
M. O. I N F O R M A T I O N	TOTAL # OF WITNESSES AT CRIME: 0 PLACE OF ATTACK: 3. Street/Alley				
	DESCRIPTION OF SURROUNDING AREA: 9. Other:				
	<input type="checkbox"/> W SPECIFY: knife		HOW USED: threat		
	<input type="checkbox"/> W SPECIFY: gun		HOW USED: threat		
	TYPE OF STRUCTURE	POINT OF ENTRY	SECURITY USED	<u>SUSPECT ACTIONS</u> 56. USED THREATS	
	Non-Residential	0. N/A	0. N/A		
		0. N/A			
		0. N/A			
	<u>TARGET(S)</u> 5. PERSON				
	<u>TYPE LOCK ATTACKED</u> 0. N/A				
A D M I N	VICTIM INJURED: <input type="checkbox"/> N		EXTENT OF TREATMENT:		SIC: NO, probably is: ADULT
	REPORTING OFFICER DEL TORO	I.D.# 4754	DIVISION INV_HOMICIDE	DETECTIVE(S) ASSIGNED	I.D.# DIVISION
	DATE AND TIME OF REPORT DATE: 06/04/2013 TIME: 12:53		CASE STATUS 131	AGENCY SDPD	CRIME TYPE PC / 245A2

PAGE 2 OF 5										CASE NUMBER 13021595		
PROPERTY	ITEM NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION			VALUE		
	1											
	2											
	3											
	4											
SUSPECT(S)	ARRESTED SUSPECT #1 (LAST, FIRST, MIDDLE) <input type="checkbox"/> N Cargnoni, Giacomo James											
	NICKNAME/AKA					ID TYPE	ID NUMBER					
	SUSPECT'S ADDRESS					CITY	STATE	ZIP				
	PHONE	RACE W	SEX M	AGE 21	DOB 10/09/1991	HT. 5'10"	WT. 160	BUILD THI	HAIR COLOR BRO	EYE COLOR HZL		
	ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)											
	SUSPECT'S CLOTHING no shirt, sweatpants											
	HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE				
	5. SHORT	9. WAVY/CURLY	9. UNSHAVEN	4. LIGHT		5. IRRATIONAL	0. UNKNOWN	0. UNKNOWN				
	2. FINE				10. OTHER							
SUSPECT VEHICLE	YEAR 2012	MAKE VOLKSWAGEN	MODEL JET PR	COLOR / COLOR GRAY / GRAY	TYPE SEDAN (NUMBER	LICENSE NO.	LIC STATE CA					
ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.) Impounded as evidence					VIN	VEHICLE IMPOUND <input type="checkbox"/> Y	TOWING COMPANY ROAD ONE					
EVIDENCE	EVIDENCE OBTAINED 9. OTHER weapons, expended ca											
	See Investigative Addendum for Details											
TAG NOS.	1306000530						ADDN'L PERSONS LISTED <input type="checkbox"/> N		WITNESS CHECK <input type="checkbox"/> Y			
	ADDITIONAL OFFENSES:											
NARRATIVE	HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT/ WITNESS CHECKS; INJURIES / PROPERTY DAMAGE											
ARSON	officer assault:		OAK ZZ	Number Officers		0		Activity when assault occurred:				
				Number Officers without personal injury		0						
ARSON	ARSON TYPE:											
	DESCRIPTION			CONTENT LOSS \$.00		STRUCT LOSS \$.00		ABANDON <input type="checkbox"/> N

INCIDENT NUMBER
13060000530

PAGE 3 OF 5

CASE NUMBER
13021595

LOCATION OF INCIDENT (OR ADDRESS)

CITY	DATE	DAY OF WEEK	TIME	BEAT
San Diego	06/01/2013	Sat	09:22	123

PERSON(S) INVOLVED: VICTIM

Butera, Richard Frank

SUSPECT (IF NAMED)

Cargnoni, Giacomo James

PROPERTY TAG NO(S)

1306000530

Officer's Investigation:

I conducted the following attempts to locate, collect and preserve evidence from the crime scene at

100 SEA WORLD, San Diego

I made an effort to locate physical evidence YES

LATENT PRINTS:

If YES, what areas were printed with what results:

Location

of Prints Lifted

Disposition

NONE FOUND

REPORTING OFFICER

DEL TORO

I.D.#

4754

DIVISION

INV_HOMICIDE

DATE OF REPORT

06/04/2013

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12:53

OTHER PHYSICAL EVIDENCE:

I made other attempts to locate physical evidence at the scene.

NO

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description	By Whom
weapons, expended casings, pho	5869
How Marked	Disposition
date, time, name, ID #	Impounded
Location-Found: in street and vehicle	
Tag Number: 1306000530	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Continue with additional witness / evidence check information on another Investigation Addendum Report.

CONTINUED

Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 1306000530	
Page 5 of 5				Case Number 13021595	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat -
Location Of Incident (Or Address) 100 SEA WORLD DR			City San Diego		Time 09:22
Person(s) Involved: Victim Butera, Richard Frank			District		Beat 123
Suspect (If Named) Cargnoni, Giacomo James					
Property Tag No.(s) 1306000530					

SYNOPSIS:

Giacomo CARGNONI threatened [REDACTED] with a gun at [REDACTED] per SDPD case # 13-021570. Police were called to this incident. Officers contacted CARGNONI in his vehicle in the area of 100 Sea World Dr. and they initiated a "vehicle hot-stop." During the hot-stop, CARGNONI did not comply with commands and began to search for something inside his vehicle.

Officer Rick BUTERA arrived and said he saw CARGNONI with what he believed was a gun in his hands. BUTERA also said he saw CARGNONI raise his hands in a shooting position and point at the officers conducting their hot-stop.

This incident resulted in an Officer Involved Shooting. Homicide Team 5 was assigned the case and is related to case # 13-021594.

For complete details of the investigation see the Homicide Team 5 complete investigation.

Reporting Officer DEL TORO	ID # 4754	Division INV_HOMICIDE	Approved By	Date of Report 6/4/2013	Time 12:53
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Continued N

San Diego Police Department: Case Cancellation

Type of
Crime/Incident

245A2 PC

Case #

13021595

Victim

Butera, Richard Frank

Case Part of Series

☐

Occurrence Date

06/01/2013

(Leave blank if no series)

Type of Cancellation

Exceptional: Other (such as subject is dead)

Additional Arrests

☐

Disposition

Charge Level

Persons Arrested

Last

First

Middle

Date

Booking Number

Cargnoni

Giacomo

06/01/2013

00000000

Detective Arrest

☐

Patrol Arrest

☐

Charged

☐

Not Charged

☒

Property Recovered

None ☐

Partial ☐

Value Recovered _____

Full ☒

Was ARJIS-4 Completed

Yes ☐

No ☒

Investigator:

Date

Approved By:

Date

4754 -Del Toro, Manuel

04/03/2014

5170 - Hastings, Michael

04/08/2014

List Additional Cases to Be Cancelled:

Narrative:

Giacomo CARGNONI used a knife to threaten police officers after he failed to locate his gun in his vehicle. GARGNONI handled the knife in a manner to have officers think he had a gun. Officer Richard BUTERA shot and killed CARGNONI as he defended himself and other officers from the assault. Officer Richard BUTERA has been cleared by the District Attorney of any criminal liability in this shooting.

(

Handwritten text, possibly a signature or date, including the word "March" and "1917".

(

(

**SAN DIEGO POLICE DEPARTMENT
OFFICER INVOLVED INCIDENT
CASE REVIEW**

DATE (occurrence): June 1, 2013

TIME (occurrence): 0922 hours

LOCATION: 100 Sea World Dr.

SUBJECT: Officer Involved Shooting

INJURED/DECEASED: CARGNONI, Giacomo DOB:10-09-91

OFFICER(S): BUTERA, Richard, ID #5876, PO-II

REVIEWED BY:

[Redacted]
Sergeant, Homicide Section

09/29/13
Date

[Redacted]
Lieutenant, Homicide Section

10/8/13
Date

[Redacted] 3974
Captain, Investigations II

10/14/13
Date

[Redacted]
Assistant Chief, Centralized Investigations

10/18/13
Date

Property Recovered

None

☐

Partial

☐

Value Recovered

Full

☒

Was ARJIS-4 Completed

Yes

☐

No

☒

Investigator:

Date

Approved By:

Date

4754 -Del Toro, Manuel

04/03/2014

5170 - Hastings, Michael

04/08/2014

List Additional Cases to Be Cancelled:

13-021594

Narrative:

Giacomo CARGNONI used a knife to threaten police officers after he failed to locate his gun in his vehicle. GARGNONI handled the knife in a manner to have officers think he had a gun. Officer Richard BUTERA shot and killed CARGNONI as he defended himself and other officers from the assault. Officer Richard BUTERA has been cleared by the District Attorney of any criminal liability in this shooting.

San Diego Police Department: Case Cancellation

Type of
Crime/Incident

245A2 PC

Case #

13021595

Victim

Butera, Richard Frank

Case Part of Series

☐

Occurrence Date

06/01/2013

(Leave blank if no series)

Type of Cancellation

Exceptional: Other (such as subject is dead)

Additional Arrests

☐

Disposition

Charge Level

Persons Arrested

Last

First

Middle

Date

Booking Number

Cargnoni

Giàcomo

06/01/2013

00000000

Detective Arrest

☐

Patrol Arrest

☐

Charged

☐

Not Charged

X

Property Recovered

None

☐

Partial

☐

Value Recovered _____

Full

☒

Was ARJIS-4 Completed

Yes

☐

No

☒

Investigator:

Date

Approved By:

Date

4754 -Del Toro, Manuel

04/03/2014

5170 - Hastings, Michael

04/08/2014

List Additional Cases to Be Cancelled:

13-021595

Narrative:

Officer Richard BUTERA shot and killed Giacomo CARGNONI after CARGNONI pointed a knife at officers in a threatening manner. CARGNONI used the knife in a manner consistent with how a gun is used as if he was inviting officers to shoot him. CARGNONI had also expressed a desire to commit suicide to his friends within a day of the shooting. Officer BUTERA was not injured in the incident and the San Diego District Attorney has cleared him of any criminal liability in the shooting.

* CANCELLATION FOR CASE #
13-0312PN ALSO ATTACHED

San Diego Police Department: Case Cancellation

Type of

981000 ZZ

Crime/Incident

Case #

13021594

Victim

Butera, Richard Frank

Case Part of Series

☐

Occurrence Date

06/01/2013

(Leave blank if no series)

Type of Cancellation

Exceptional: Other (such as subject is dead)

Additional Arrests

☐

Disposition

Charge Level

Persons Arrested

Last

First

Middle

Date

Booking Number

Detective Arrest

☐

Patrol Arrest

☐

Charged

☐

Not Charged

X

* CANCELLATION FOR CASE #
13-021595 ALSO ATTACHED

JESUS RODRIGUEZ
ASSISTANT DISTRICT ATTORNEY

OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO

BONNIE M. DUMANIS
DISTRICT ATTORNEY

San Diego
330 West Broadway
San Diego, CA 92101
(619) 531-4040

<http://www.sandiegoda.com>

March 20, 2014

Police Chief Shelley Zimmerman
San Diego Police Department
1401 Broadway
San Diego, CA 92101

Re: Fatal shooting of Mr. Giacomo James Cargnoni on June 1, 2013, by San Diego Police Officer Richard Butera; San Diego Police Department Case No. 13-021594; DA Special Operations Case No. 13-072PS; Deputy District Attorney assigned: Patrick McGrath

Dear Chief Zimmerman:

We have reviewed the reports and other materials compiled by your Homicide Division concerning the fatal shooting of Mr. Giacomo J. Cargnoni on June 1, 2013, by Officer Richard Butera. A District Attorney Investigator responded to the scene and was briefed by your investigators. The case materials were presented to the District Attorney's Office for review on October 28, 2013.

Synopsis

Mr. Giacomo J. Cargnoni brandished a pistol during an argument with an acquaintance. Witnesses reported this to the police after Cargnoni drove away in his car. San Diego police officers located Cargnoni and conducted a high risk vehicle stop on Sea World Drive. Cargnoni disobeyed commands from officers, pulled an object from his car, (later determined to be a knife), and made motions as if he was aiming a handgun at the officers. Officer Richard Butera fired his shotgun and struck Cargnoni in the torso. Cargnoni fell, then got up and made the same pointing motions toward officers. He then approached the area where he dropped the object. Officer Butera fired again fatally wounding Cargnoni. Portions of the events were captured on video from a citizen witness.

Persons Involved

Mr. Giacomo J. Cargnoni was 21 years old at the time of the incident and was a resident of San Diego. San Diego Police Officer Richard Butera had been a police officer for 11 years when this incident occurred. Butera was assigned to the Western Patrol Division and was in full uniform.

Vehicle Stop

A subject called the San Diego Police Department and reported Giacomo Cargnoni pointed a handgun at the reporting party's head during an argument. That information, as well as Cargnoni's name and vehicle description was broadcast over the police radio. Officer John

Carpenter spotted Cargnoni's Volkswagen Jetta and conducted a high risk vehicle stop facing north in the 100 block of Sea World Drive. Several other officers arrived to help.

Officer Carpenter ordered Mr. Cargnoni to throw his car keys out and walk backward with his hands up for the purpose of taking him into custody. Cargnoni initially stepped out from his car as ordered, but then ignored the subsequent commands. Cargnoni was shirtless, wearing only sweatpants. Cargnoni walked towards the officers as directed but then lowered his sweatpants, exposing himself. Cargnoni then reached as if he was pulling something from inside of his pants. Officer Carpenter could see that Cargnoni did not appear to have a weapon, but Cargnoni quickly extended his arms forward, put his hands together and pointed his fingers at the officer as if he had a gun.

Mr. Cargnoni pulled his sweat pants up and ran back to his car. Cargnoni leaned into the driver's side of his car. Officer Jeffrey Martinez broadcast, "He's going for a gun." Cargnoni got out of his car and took a two handed shooting stance, pointing at the officers as if he was holding a pistol. Despite repeated orders to get on the ground, Cargnoni continued searching the interior and the trunk of his car, tossing clothing and other items onto the street. Cargnoni would intermittently take a shooting stance toward the officers. Cargnoni then reached into his car from the passenger side and removed what was later determined to be a knife. Cargnoni crouched down, partially behind the rear passenger door, and then again held his arms out as if he was holding a gun with both hands.

Shooting Incident

Officer Richard Butera responded to the radio call of a high risk vehicle stop and approached the scene from the north. Butera used his car to block the southbound traffic lanes of Sea World Drive. Butera heard a call over the radio stating the suspect was going for a gun. Butera got out of his police car, removed his shotgun and moved south along the jersey barrier. Butera took a kneeling position across the street from Cargnoni's car. Cargnoni was on the passenger side of the Volkswagen and appeared to be pointing a handgun at the officers. Butera fired one round from his shotgun at Cargnoni. Cargnoni fell to the ground, dropped an object and rolled a few feet east of his car. Cargnoni got back up and took a shooting stance, pointing at officers. At this point, Butera could see Cargnoni had nothing in his hand, so he did not fire. Cargnoni then walked forward, ignoring officers' orders and approached the area where he had dropped the object. When Cargnoni appeared to bend forward, Butera felt he was going to grab a "pistol" to shoot the officers. Butera fired a second shot. Cargnoni again fell to the ground but did not get back up. Butera did not know the object the suspect had in his hands was a knife and not a handgun, until he approached the suspect with a trauma kit after the second shot was fired.

Witness Statements

The witnesses to this shooting were commuters travelling on Sea World Drive, temporarily detained behind the high risk vehicle stop. One witness digitally recorded the incident on his iPhone. The witness said the male was in a standing position gesturing as if he had a gun, but he was too far away to see if the male actually held a gun. Suddenly, a loud pop sound came from the left. The witness recognized the sound as being a gunshot. He said the male got back up and

again extended his arms outward as if he was holding a gun and pointing at the officers. The witness heard another pop. The male fell down and never got back up.

A second witness said she saw a man on the passenger side of the grey Volkswagen. The witness said she was a distance away when she saw him. She said she thought he was holding something in his left hand. She assumed he had a gun, "...because all the officers were in that defensive guard." The witness heard a shot and thought the suspect had fired at the officers. She then saw Cargnoni fall to the ground. The witness saw him get back up and thought he was going towards his car. She then heard another shot and realized the police shot him again. She saw officers approach the man on the ground. She took a picture of the scene with her cell phone camera.

A third witness said she heard the officers giving Mr. Cargnoni orders to get out of his car with his hands up. She saw Cargnoni rummaging through the contents of his car. She thought Cargnoni might retrieve a weapon to shoot at the officers. The witness realized she might be in the line of fire and ducked down in her car. She then heard one pop sound. Her windows were rolled up and it sounded muffled. She did not see who fired.

Officer Butera's Statement

Officer Butera said he arrived on Sea World Drive in time to see Mr. Cargnoni rummaging through the trunk of his Volkswagen. Butera was in a vulnerable location for crossfire so he grabbed his shotgun and moved to a position across the street, west from Cargnoni. Using the concrete jersey barrier for cover, Butera took aim at Cargnoni with his shotgun. Butera heard another officer broadcast that Cargnoni was, "going for a gun." Butera saw Cargnoni outside of the open front door on the passenger side. Cargnoni was crouched down and reaching inside car between the front seats. Butera saw Cargnoni holding the black handle of an object. Butera believed it was a handgun. He then said Cargnoni took a crouched shooting position behind the open back door on the passenger side. Butera said Cargnoni was pointing directly at the officers who were conducting the high risk vehicle stop. Cargnoni got up from his crouched position and advanced toward the officers. Butera said he was certain at that time Cargnoni was armed with a gun and believed Cargnoni was going to shoot.

Butera fired a shot through the rear window on the driver's side of the Volkswagen and saw Cargnoni stumble backwards. Butera said he saw Cargnoni had dropped what Butera believed was a gun on the ground as he fell. Butera moved about 8 to 10 feet south along the jersey barrier and re-aimed at Cargnoni. Butera saw Cargnoni get back up to a standing position. Butera said, "*He was advancing towards where the weapon was dropped.*" Butera saw Cargnoni bend forward and thought Cargnoni was going to pick the weapon up. Butera fired another round from his shotgun and saw it struck Cargnoni in his chest. Butera approached Cargnoni with a trauma kit and then learned Cargnoni had been armed with a knife and not a handgun.

Witness Officers Statements

A number of SDPD officers were on the scene and had different observations depending on their distance and angle of sight at Mr. Cargnoni. Some of the descriptions provided by officers are listed below.

Approximately 1 minute, 45 seconds into the high risk vehicle stop, Officer Bradford Green broadcast, "He's back in the car. He's making some movements like he's gonna go for a gun." Green told investigators, "He was just tossing stuff. The only thing I am thinking is he is looking for his gun. He couldn't find it in the trunk and now he is in his car looking for his gun and he is going to come out shooting." Green was behind Officer Carpenter and did not see an object in Cargnoni's hands.

Officer Carpenter said he saw it was an opened folding knife. Officer Jeffrey Martinez said it was a black object in Mr. Cargnoni's hands and, "...immediately thought it was a gun." Officer Michael Kellington said, "I almost shot but I was able to see the knife from the angle I had."

Sergeant Nick Borrelli said Cargnoni, "... came out of the car with something in his hands." Borrelli assumed Cargnoni had a gun but did not fire because he did not have a clear shot. Borrelli heard a gunshot. After the gunshot, Borrelli saw Cargnoni move toward the brush area. Borrelli then saw Cargnoni walk back and began to lean over to pick up what he dropped and that is when he heard the second gunshot. Acting Sergeant Esmeralda Tagaban thought Cargnoni was looking for his gun and said, "... when he came back up I thought he had found it, when he came back up with his hands simulated."

Investigation

The crime scene was secured and the investigation revealed Officer Butera fired a total of two rounds from his shotgun. Mr. Cargnoni had positioned himself approximately 2 to 3 feet east of the passenger side of his car. Cargnoni's front driver door and both front and back passenger side doors were open. The rear driver side door was closed with the window rolled up. Butera was positioned on the west side of the concrete jersey wall, dividing the north and south lanes of 100 Sea World Drive. Butera fired his first round in an eastward direction, at an approximate 90 degree perpendicular angle from the jersey barrier. The round travelled through the rear driver's side window of Cargnoni's car and out the passenger side, striking Cargnoni in the chest.

Video recorded by a witness showed Cargnoni taking a shooting stance, pointing toward several officers. The video shows Cargnoni falling to the ground after being shot and then returning to his feet. Butera moved approximately 25 to 30 feet south along the same jersey wall. The video shows Cargnoni again taking a shooting stance towards the officers, then moving forward. He leans forward when it appears he is hit by the second shot fired. Butera fired the second round in an eastward direction from an approximate 30 degree angle, striking Cargnoni in the chest. The second shot was at an approximate distance of over 40 feet. Officers approached Cargnoni to take him into custody and render medical aid.

Officer Martinez said he saw Cargnoni had a lot of chewed up white pills inside his mouth. San Diego Police Crime Scene Investigators found other white pills near the spot that Cargnoni ultimately fell. Investigators searched Cargnoni's vehicle and found a loaded Desert Eagle 9mm semi-automatic handgun with 1 round of ammunition in the chamber and 8 rounds in the magazine. The handgun was located in the trunk of Cargnoni's vehicle concealed under objects of clothing.

Mr. Cargnoni was armed with a black handled folding knife with an opened blade that was 3 inches in length. The overall length of the knife was 7 inches.

Autopsy

On June 3, 2013, an autopsy was performed. The Deputy Medical Examiner determined Cargnoni died from multiple shotgun projectile wounds to the chest. Cocaine metabolites, cannabinoids, benzodiazepines and clonazepam were detected in Cargnoni's system.

Legal Analysis

This review was conducted pursuant to the joint protocol between this office and all San Diego law enforcement agencies calling upon the District Attorney to conduct an independent assessment of the circumstances surrounding the use of deadly force.

Under California law, peace officers may use deadly force to protect themselves from the threat of death or great bodily harm and to use reasonable force in making an arrest. California Penal Code section 835a allows an officer to use reasonable force to make an arrest and to overcome resistance by a person for whom he has reasonable cause to believe has committed a public offense. That section states the officer need not retreat or end his effort to make an arrest because of a person's resistance. Penal Code section 196 declares that homicide is justifiable when committed by public officers when necessarily committed in overcoming actual resistance in the discharge of any legal duty.

In accordance with Penal Code section 196, peace officers may use deadly force in the course of their duties under circumstances not available to members of the general public. We are mindful, however, that certain limits on the use of deadly force apply to peace officers. The U.S. Ninth Circuit Court of Appeals, in the case of *Scott v. Henrich* (9th Cir. 1994) 39 F.3d 912, delineated those circumstances under which deadly force may be used:

[P]olice may use only such force as is objectively reasonable under the circumstances. An officer's use of deadly force is reasonable only if 'the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.' All determinations of unreasonable force 'must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation.'" [Citations omitted.]

Police Chief Zimmerman
March 20, 2014
Page 6 of 6

Irrespective of any laws applicable to situations where peace officers use deadly force in accomplishing their duties, the law of self-defense is available to any person. Homicide is justifiable in accordance with Penal Code 197 when resisting any attempt by a person to commit great bodily injury on or kill any person.


Conclusions

In this case, Mr. Cargnoni was suspected of assaulting an acquaintance by pointing a pistol at his head. Cargnoni's vehicle was spotted by an officer and a high risk vehicle stop was conducted. Officers ordered Cargnoni to surrender at gunpoint. Mr. Cargnoni ignored the commands and rummaged through his vehicle, tossing various objects into the street in an apparent search for something. Cargnoni would intermittently take provocative shooting postures at the officers. Cargnoni armed himself with an opened folding knife and held it out with both arms extended as if he was holding a handgun. Officer Butera thought Cargnoni was armed with a handgun and was about to shoot at the officers conducting the stop. Butera shot and struck Cargnoni. Cargnoni fell but quickly rose and took another threatening shooting posture. Cargnoni then approached the area where he had dropped his knife and Butera fired again, believing Cargnoni was reaching for a firearm, fatally wounding Cargnoni.

Based on these circumstances, Butera fired in lawful defense of other officers. He therefore bears no criminal liability for his actions.

A copy of this letter, along with the materials submitted for our review will be retained in our files.

Sincerely,


BONNIE M. DUMANIS
District Attorney
County of San Diego

BMD:jh
cc: Assistant Chief Terrence McManus
San Diego Police Department



THE CITY OF SAN DIEGO

San Diego Police Department

FOR IMMEDIATE RELEASE

Date: June 1, 2013 (Saturday)

Time: 0912 Hours

CONTACT: Lieutenant Jorge Duran

Homicide Unit

(619) 531-2425

POLICE INVESTIGATE OFFICER INVOLVED SHOOTING IN OCEAN BEACH

San Diego Police Department Homicide Unit detectives are investigating an officer involved shooting incident in Ocean Beach.

Today, at approximately 9:12 a.m., patrol officers responded to a 911 call of a man with a gun threatening to shoot another male in the 1700 block of Sunset Cliffs Boulevard. Witnesses saw the suspect get into a silver Volkswagen sedan and drive north on Sunset Cliffs Boulevard. Responding officers spotted the vehicle and initiated a traffic stop in the 100 block of Sea World Drive. The officers gave the suspect commands to put his hands in the air. The suspect ignored the officers' commands and instead walked over to the passenger side of the vehicle, reached between the seats, and retrieved what officers described as a brown and silver object. The suspect raised the object and pointed it towards the officers.

One of the officers closest to the suspect fired his duty weapon striking the suspect. The suspect was transported to a local hospital where he later died.

A handgun was located in the suspect's vehicle.

The suspect's identity is known but will not be released until family notifications have been made.

The officer involved in the shooting is an 11 year veteran of the Department.

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

CALL OUT:

On June 1, 2013 at 0940 hours, Lt. Jorge DURAN, #4207 directed Homicide Team 5 to respond to 100 Sea World Drive to assist with an officer involved shooting investigation.

The shooting occurred during a 'hot stop' (traffic stop) involving a dark gray, 2012 Volkswagen Jetta, bearing California License plate [REDACTED]. Prior to the initiation of the traffic stop, police officers from Western Division responded to a radio call of an individual brandishing a firearm outside of an apartment complex located at [REDACTED] (Beat 614). A description of the suspect and his vehicle was broadcast to officers.

Officers located a possible suspect vehicle in the area of Dusty Rhodes Park and followed the Jetta as it traveled northbound on Sunset Cliffs Boulevard. The officers initiated a traffic stop on the subject vehicle, which yielded on the north side of the Sunset Cliffs Bridge, around 100 Sea World Drive (Beat 123).

It was during the 'hot stop' the suspect produced what Officer Richard BUTERA, #5876, believed to be a gun. The suspect took a shooting position with the object in his hand and pointed that object at the officers. Officer BUTERA discharged his 12-Gauge shotgun two times at the suspect which resulted in the suspect's death. The object in the suspect's hands was later determined to be a black handled folding knife.

HOMICIDE PERSONNEL AT SCENE:

Present from the Homicide Unit were Lieutenant Jorge DURAN, ID #4207, Sergeant Manuel DEL TORO, ID #4754; Detectives Jana BEARD, ID #4807, Gary GONZALES, ID #5328, and Angelica NAVARRO, ID #5413 (Relief). Crime Scene Specialists Jennifer SANDERS, ID #8392 and Joe BERNER, ID #8791 along with Criminalist Eugene LACHIMIA, ID #8757, assisted from the San Diego Police Crime Laboratory in processing the evidence at the shooting scene.

Others present for the briefing included the following: Assistant Chief Cesar SOLIS, ID #3221, Captain Andrew MILLS, ID #3522, Lieutenant Bernie COLON, ID #4614, Lieutenant Brian GOLDBERG, ID #4573, Sergeant Jason WEEDEN, ID #5563 and Acting Sergeant Esmeralda TAGABAN, ID #6794.

BRIEFING:

At approximately 1100 hours, after the entire Homicide team was assembled, Acting Sergeant TAGABAN briefed us on the incident. Homicide Team 5 learned the following:

At 0912 hours, San Diego Police Communications Division received a 911 call from [REDACTED] stating an individual was at her apartment complex located at [REDACTED] brandishing a firearm.

Western Division patrol officers were dispatched to the call at 0912 hours

The victim of the assault with a firearm (subject of the radio call) was identified as [REDACTED] who resides at [REDACTED]

Officer CARPENTER responded to the radio call and located the vehicle near Dusty Rhodes Park, traveling northbound toward Sea World Drive. Officer CARPENTER broadcast the license plate, [REDACTED] and waited for cover. Officer MARTINEZ then arrived and a 'hot stop' was conducted at 100 Sea World Drive. Additional officers responded to the scene to assist.

During the hot stop CARGNONI exited his vehicle and ran over to the passenger side of the vehicle. CARGNONI began rummaging through items on the front seat as officers were giving lawful orders to stop. CARGNONI then went towards the trunk area of the car. CARGNONI opened the trunk of the car and began rummaging through the items inside of the trunk. CARGNONI went back to the passenger side of his vehicle and continued rummaging through the interior of the car. CARGNONI appeared to have something in his hand and appeared to be simulating that he had a weapon. CARGNONI brought his hands up and pointed the object in his hand at the officers (as if taking a shooting stance).

It was at this time Officer Richard BUTERA discharged a round with his shotgun at the suspect CARGNONI. CARGNONI fell down and rolled on the ground. CARGNONI got back up again and continued to simulate he was armed with a weapon. The officers continued to give CARGNONI verbal commands. Officer BUTERA discharged his shotgun a second time after CARGNONI ignored the officers' commands.

Paramedics responded to the shooting scene and they transported Giacomo James CARGNONI to UCSD Hospital. The suspect made no statements at the scene nor did he make any statements in the ambulance.

The suspect was pronounced deceased by Dr. GODAT at 1044 hours.

Western Division Officers also responded to the location of the initial radio call of CARGNONI brandishing a firearm at [REDACTED]. Officers learned that CARGNONI had been temporarily staying at [REDACTED] with his friend, [REDACTED]. There was a dispute between the resident [REDACTED]

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Investigator's Report

Case Synopsis:

Case #13-021594 and 13-021595

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and CARGNONI over an alleged stolen credit card. A fight ensued and CARGNONI armed himself with a box cutter.

CARGNONI left [REDACTED] apartment. [REDACTED] followed CARGNONI out of the apartment as he walked to his Volkswagen.

CARGNONI then produced a black semi-automatic handgun and pointed the gun at the back of [REDACTED] head. Two independent witnesses observed CARGNONI brandish the firearm and called police.

The two witnesses, [REDACTED] were returning home from grabbing a cup of coffee when they witnessed CARGNONI pointing the firearm at [REDACTED]

[REDACTED] was able to escape CARGNONI by walking away from him.

[REDACTED] was a witness to the officer involved shooting and recorded the incident on his cellular phone. [REDACTED] was standing by and waiting to be interviewed.

An additional witness, [REDACTED] also witnessed the shooting. She was not present at the scene but could be reached by phone to be interviewed.

INVESTIGATION:

Homicide Team 5 Detectives took over the investigation of the Officer Involved Shooting and the Assault on the Officers. Detective's BEARD and LEAHY conducted the crime scene investigation.

Detectives NAVARRO and GONZALES began conducting civilian and officer witness statements.

Detective GONZALES located [REDACTED] and he indeed captured the incident on his cell phone. [REDACTED] consented to having his phone downloaded. The footage shows GIACOMO making shooting stances at the officers conducting the Hot Stop. GIACOMO was shot twice with shotgun rounds by Officer BUTERA. Before the second shot, GIACOMO was walking towards the knife he was holding while making shooting gestures at the officers. The footage supports the statements of the civilian and police officer witnesses.

At 1410 hours, CSS BERNER conducted a search of the trunk area and located a black metal handgun concealed underneath loose clothing and personal items. On the ground near the medical intervention items, a pocket knife was also located. The knife had a black handle and a silver metal colored blade. The pocket knife was folded open and the blade appeared to be fully extended out. This appeared to be the location where the decedent came to rest after having been struck by Officer BUTERA's second shot.

Computer research on CARGNONI revealed he has a [REDACTED]

Investigator's Report

Case Synopsis:

Case #13-021594 and 13-021595

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Witness, [REDACTED] was in traffic on Sea World Dr. she saw CARGNONI and the hot stop being conducted. She stated CARGNONI was going through things in his vehicle and ignoring officers. She feared he was going to possibly shoot the officers and she leaned down for cover. She later said she heard one shot fired.

Witness, [REDACTED] was also in traffic on Sea World Drive. She heard officers yelling to CARGNONI to get down. CARGNONI was on the passenger side of his vehicle and she assumed he had a gun because officers were pointing their guns at him. She said she ducked for cover in her vehicle and then heard the shots fired.

Witnesses [REDACTED] and [REDACTED] were interviewed regarding the radio call of a person with a gun at [REDACTED]. They all stated they saw CARGNONI point a handgun at [REDACTED] at that location.

A friend of CARGNONI, [REDACTED] was interviewed and she stated that CARGNONI recently told her he was having suicidal thoughts. She also said she suspected him of recently stealing some of her pills (Klonopin) from her residence.

Another friend of CARGNONI, [REDACTED] was interviewed and she overheard CARGNONI say he has had suicidal thoughts in the past.

The officers on the Hot Stop were also interviewed. Sergeants Nick BORELLI and A/Sergeant Esmeralda TAGABAN and Officers Bradford GREEN, Mike KELLINGTON, Jeffrey MARTINEZ, John CARPENTER all stated that CARGNONI was not complying with commands and he raised his hands towards the officers on the Hot Stop as if he had a weapon. They also stated they saw CARGNONI going through his vehicle as if he was looking for something. Officers CARPENTER and KELLINGTON stated they saw CARGNONI holding a knife in his hands when he was taking a shooting stance at the officers. Officer KELLINGTON stated he almost shot CARGNONI when he took the threatening stance towards them. Sgt. BORELLI and A/Sergeant TAGABAN both said they saw "something" in CARGNONI'S hands when he took the shooting stance towards them but they did not know what it was. All of the sergeants and the officers stated they believed CARGNONI was the suspect of the recent incident where someone was threatened with a gun.

The shooting officer, Richard BUTERA volunteered to be interviewed with his attorney, Robert KRAUSE, present. BUTERA stated he heard the radio call of person threatening someone with a gun on Sunset Cliffs. He was also aware that officers were conducting a Hot Stop on an individual who was the suspect in that incident. Officer BUTERA arrived at 100 Sea World Drive and he covered the officers with his shotgun. Officer BUTERA saw CARGNONI going through his trunk and passenger side of his vehicle while ignoring the officers giving commands on the Hot Stop. Officer BUTERA saw CARGNONI take a shooting stance at the officers on the Hot Stop with an object in his hands. Officer BUTERA believed that object in CARGNONI'S hands was a gun.

Investigator's Report

Case Synopsis:

Case #13-021594 and 13-021595

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Officer BUTERA stated he believed CARGNONI was going to fire a gun on the officers. BUTERA said he fired on CARGNONI to protect the officers from a deadly assault. (See Officer BUTERA'S verbatim statement in the victim section of this investigation).

On September 17, 2013, Homicide Team 5 received lab results that indicate the suspect CARGNONI'S DNA was found on the knife found near him at the scene and also on the gun found in the car in the area he was rummaging through.

Reporting Sergeant Manual DEL TORO

I.D. 4754

Homicide Team: V

Approved by



4207

Date of this report: 09/20/2013

Time: 1700 Hours

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SAN DIEGO POLICE DEPARTMENT HOMICIDE SECTION CALLOUT SHEET

DATE/TIME: 06/01/2013 0922

LOCATION: 100 Sea world DR

AREA: NO BEAT: 123 APT: CASE TYPE: OIS-Special Investigation CASE #: 13-021594

RELATED CASE TYPE / #: WEAPON: METHOD OF DEATH: MOTIVE:
245a2 PC #13-021595 Knife/Stabbing Gunshot Wound(s) Unknown

VICTIM

NAME: BUTERA, Richard

RACE: White SEX: Male HEIGHT: 5'06" WEIGHT: 185 AGE: DOB:

IDENTIFICATION: SSN: CDL FBI: CII:
HOME ADDRESS PHONE

OCCUPATION EMPLOYER PHONE
LAW ENFORCEMENT San Diego PD

SUSPECT(s)

NAME: CARGNONI, Giacomo James

RACE: White SEX: Male HEIGHT: 5'10" WEIGHT: 160 AGE: DOB: 10/9/1991

IDENTIFICATION SSN: CDL FBI: CII:
HOME ADDRESS PHONE

OCCUPATION EMPLOYER PHONE

ARREST DATE: CHARGES: WARRANT:

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Print Date 4/10/2014
Case # 13-021594
Victim: BUTERA, Richard

INVESTIGATIVE PERSONNEL

HOMICIDE PERSONNEL:

Det. Jana BEARD 4807
Sgt Manny DEL TORO 4754
Det. Christopher LEAHY 5869
Det. Gary GONZALES 5328
POLDET ANGELICA NAVARRO-MORAN 5413

TEAM : 5

FORENSIC SPECIALIST: Sanders
CRIMINALIST: Lachimia
DDA: Spec Ops
MEDICAL EXAMINER: Moreheim
INVESTIGATOR: J.C. Smith

CANCELLED BY: DEL TORO/HASTINGS DATE: 4/8/2014 TO RECORDS: 4/10/2014

CASE SYNOPSIS / REVISIONS

On June 1, 2013 0945 hours, Homicide Team 5 was called out to 100 Sea World Drive to investigate with an officer involved shooting investigation.

The genesis of the officer involved shooting originated as a result of a 'hot stop' (traffic stop) involving a dark gray, 2012 Volkswagen Jetta, bearing California License plate [REDACTED]. Prior to the initiation of the traffic stop, police officers from Western Division responded to a radio call of an individual brandishing a firearm outside of an apartment complex located at [REDACTED] (Beat 614). A description was broadcast to officers of the suspect and the vehicle he fled in.

Officers located a possible suspect vehicle in the area of Dusty Rhodes Park and followed the Jetta as it traveled northbound on Sunset Cliffs Boulevard. The officers initiated a traffic stop on the subject vehicle, which yielded on the north side of the Sunset Cliffs Bridge, just past the location where Sunset Cliffs Boulevard becomes Sea World Drive (Beat 123).

It was during the 'hot stop' the suspect produced what Officer Richard BUTERA, #5876, believed to be a gun. The suspect took a shooting position with the object in his hand and pointed that object at the officers. Officer BUTERA discharged his 12-Gauge shotgun two times at the suspect, which ultimately resulted in the suspect's death. The object in the suspects hands was later determined to be a black handled folding knife.

The scene was located east of the cement jersey wall, which divides the north and southbound traffic lanes at 1000 Sea World Drive.

The area of the crime scene is generally uninhabited and is primarily used as a thoroughfare between the communities of Ocean Beach and Mission Beach. The area is frequently used for recreational means as there are bicycle pathways in the area connecting Ocean Beach and Mission Bay Park. The location of the scene is in police service Beat-123.

BRIEFING:

At approximately 1100 hours, after the entire Homicide team was assembled, Acting

Prepared By: MANUEL DEL TORO, SGTD ID 4754

Date: Prepared: 6/13/2013 Revised: 10/17/2013

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Print Date 4/10/2014
Case # 13-021594
Victim: BUTERA, Richard

Sergeant TAGABAN briefed us on the incident. The briefing took place while standing south of the scene in the 100 block of Sea World Drive. Acting Sergeant TAGABAN essentially told us the following:

At 0912 hours, San Diego Police Communications Division received a 911 call from [REDACTED] stating an individual was at her apartment complex located at [REDACTED] brandishing a firearm.

The weather conditions were clear and the temperature was 65 degrees.

Western Division patrol officers were dispatched to the call at 0912 hours. Officer John CARPENTER, ID #5429 (Unit-618J1) was the first officer to arrive at the scene. The second officer to arrive on scene was Officer Jeffrey MARTINEZ, ID #5668 (Unit-613B1) followed by Officer Bradford GREEN, ID #6820 (Unit-614B1) and Richard BUTERA, ID #5876 (Unit-621B1).

Officer KELLINGTON, ID #6384 (Unit-615J1), Sergeant Nick BORELLI, ID #4584 (Unit-621S1) and myself (Acting Sergeant TAGABAN) were also present.

The victim of the assault with a firearm (subject of the radio call) was identified as [REDACTED] who resides at [REDACTED]

Paramedic #20 and Engine #20 responded to the shooting scene. Medic #20 transported the suspect to UCSD Hospital. The following are the listed Paramedic personnel attached to Medic #20: Adam SWEAT, ID #AS9502, Dennis CREAMER, ID #DC3076, and Simmon KOCH, ID #SK4352. Officer Kristopher SPENCER, ID #6811 was directed to ride in the ambulance to UCSD with the suspect. The suspect made no statements at the scene nor did he make any statements in the ambulance.

The suspect was pronounced deceased by Dr. GODAT at 1044 hours.

The suspect has been identified as Giacomo James CARGNONI, born October 9, 1991. CARGNONI was found lying on his back on the ground, with his head facing southbound and two gunshots to his torso.

[REDACTED] called police to report a white male with no shirt on was pointing a gun at her neighbor. Officer CARPENTER located the vehicle near Dusty Rhodes Park, traveling northbound on Sea World Drive. Officer CARPENTER broadcast the license plate, [REDACTED] and waited for cover. Officer MARTINEZ then arrived and a 'hot stop' was conducted at 100 Sea World Drive.

CARGNONI exited his vehicle and ran over towards the passenger side of the vehicle. CARGNONI began rummaging through items on the front seat as officers were giving lawful orders to stop. CARGNONI then went towards the trunk area of the car. CARGNONI opened the trunk of the car and began rummaging through the items inside of the trunk. CARGNONI went back to the passenger side of his vehicle and continued rummaging through the interior of the car. CARGNONI appeared to have something in his hand and appeared to be simulating he had a weapon. CARGNONI brought his hands up and pointed the object in his

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the object in his hand at the officers (as if taking a shooting stance).

It was at this time Officer BUTERA discharged a round with his shotgun. CARGNONI fell down and rolled on the ground. CARGNONI got back up again and continued to simulate he was armed with a weapon. The officers continued to give CARGNONI verbal commands. Officer BUTERA discharged his shotgun a second time after CARGNONI ignored the officers' commands.

What we've learned from the reporting parties is that CARGNONI had been temporarily staying at [REDACTED]. This morning [REDACTED] discovered CARGNONI had stolen his credit card. [REDACTED] found CARGNONI this morning asleep on [REDACTED] bedroom floor. [REDACTED] confronted CARGNONI about stealing his credit card. A fight ensued and CARGNONI armed himself with a box cutter.

CARGNONI took off his shirt during the fight and CARGNONI left [REDACTED] apartment. [REDACTED] followed CARGNONI out of the apartment as he walked to his Volkswagen.

CARGNONI then produced a black semi-automatic handgun and pointed the gun at the back of [REDACTED] head. Two independent witnesses observed CARGNONI brandish the firearm and called police.

The two witnesses, [REDACTED] were returning home from grabbing a cup of coffee when they witnessed CARGNONI pointing the firearm at [REDACTED].

[REDACTED] was able to escape CARGNONI by walking away from him.

The suspect left the area in the Volkswagen and was subsequently located by officers who initiated a traffic stop at this location, 100 Sea World Drive.

[REDACTED] is a witness to the officer involved shooting and recorded the incident on his cellular phone. [REDACTED] is standing by and waiting to be interviewed.

An additional witness, [REDACTED] also witnessed the shooting. She is not present at the scene but can be reached later by phone to be interviewed.

Detective LEAHY with the assistance of Detective Jana BEARD conducted the crime scene investigation. Detectives NAVARRO and GONZALEZ conducted witness statement statements that began with the civilians and then to the six officers present.

Sergeant Manuel DELTORO interviewed shooting officer Rick BUTERA. BUTERA stated he fired his shotgun twice at the suspect, CARGNONI because he believed CARGNONI pointed a handgun at police officers conducting the hot-stop with the intent to hurt them.

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Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 1306000530	
Page 5 of 5				Case Number 13021594	
Code Section And Description (one incident only) ZZ / 981000 / MISCELLANEOUS INCIDENTS			Date 6/1/2013	Day of Week Sat -	Time 09:22 -
Location Of Incident (Or Address) 100 SEA WORLD DR			City San Diego	District	Beat 123
Person(s) Involved: Victim Butera , Richard Frank					
Suspect (If Named) Cargnoni , Giacomo James					
Property Tag No.(s) 1306000530					

SYNOPSIS:

Giacomo CARGNONI threatened [REDACTED] with a gun at [REDACTED] per SDPD case number 13-021570. In response to that incident, citizens called police. Police responded and contacted CARGNONI in his vehicle in the area of 100 Sea World Dr. Police initiated a "vehicle hot-stop." CARGNONI did not cooperate with police commands and he pointed his knife at the police as if he were holding a handgun. Believing CARGNONI was going to shoot at police officers, Officer Richard BUTERA fired his shotgun two times at CARGNONI.

Homicide Team 5 was assigned the incident for investigation. For complete details of the case, see the Homicide Team 5 investigative binder.

Reporting Officer DEL TORO	ID # 4754	Division INV_HOMICIDE	Approved By	Date of Report 6/3/2013	Time 07:25
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CRIME		RELATED REPORTS			ADDN'L PROPERTY		ADDN'L OFFENSES LISTED IN NARR.		SAN DIEGO REGIONAL CRIME / INCIDENT REPORT				INCIDENT NUMBER 13060000530	
		Y	N	N	PAGE 1 OF 5		CASE NUMBER 13021595							
BEAT 123		DISTRICT			DATE 06/01/2013			DAY OF WEEK Sat			TIME 09:22			
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT														
LOCATION OF INCIDENT (OR ADDRESS) 100 SEA WORLD DR										CITY San Diego				
V		VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) Butera, Richard Frank												
W-TYPE 16		RESIDENCE ADDRESS 5215 GAINES ST			CITY San Diego			STATE Ca		ZIP 92110				
RESIDENCE PHONE		RACE W	SEX M	DATE OF BIRTH	ID TYPE SD	ID NUMBER 5876	INTERPRETER REQUIRED N		RELATION TO: VICTIM / SUSPECT					
STATUS E		EMPLOYER (RANK IF MILITARY) San Diego Police Dept.			BUSINESS PHONE		DAYS OFF VARY		WORK HRS. VARY		V/W ASSIST Y			
BUSINESS OR MILITARY ADDRESS												CITY	STATE	ZIP
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)														
W		VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION)												
W-TYPE		RESIDENCE ADDRESS			CITY			STATE		ZIP				
RESIDENCE PHONE		RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	INTERPRETER REQUIRED		RELATION TO: VICTIM / SUSPECT					
STATUS		EMPLOYER (RANK IF MILITARY)			BUSINESS PHONE		DAYS OFF		WORK HRS.		V/W ASSIST			
BUSINESS OR MILITARY ADDRESS												CITY	STATE	ZIP
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)														
TOTAL # OF WITNESSES AT CRIME:		0		PLACE OF ATTACK:		3. Street/Alley								
DESCRIPTION OF SURROUNDING AREA: 9. Other:														
W		SPECIFY: knife				HOW USED: threat								
W		SPECIFY: gun				HOW USED: threat								
TYPE OF STRUCTURE		POINT OF ENTRY		SECURITY USED		SUSPECT ACTIONS								
Non-Residential		0. N/A		0. N/A		56. USED THREATS								
TARGET(S)		0. N/A												
5. PERSON		0. N/A												
TYPE LOCK ATTACKED		0. N/A												
VICTIM INJURED:		N		EXTENT OF TREATMENT:				SIC: NO, probably is: ADULT						
REPORTING OFFICER DEL TORO		I.D.# 4754		DIVISION INV_HOMICIDE				DETECTIVE(S) ASSIGNED		I.D.#		DIVISION		
DATE AND TIME OF REPORT DATE: 06/04/2013		TIME: 12:53				CASE STATUS 131		AGENCY SDPD		CRIME TYPE PC / 245A2				

ARSON	ARSON TYPE:				
	DESCRIPTION	CONTENT LOSS \$.00	STRUCT LOSS \$.00	ABANDON <input type="checkbox"/> N	CONTINUED <input type="checkbox"/> Y

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OTHER PHYSICAL EVIDENCE:

I made other attempts to locate physical evidence at the scene. ☐ NO

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description weapons, expended casings, pho	By Whom 5869
How Marked date, time, name, ID #	Disposition Impounded
Location Found: in street and vehicle	
Tag Number: 1306000530	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
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Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Item Description	By Whom
How Marked	Disposition
Location Found:	
Tag Number:	

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 5 of 5				Case Number 13021595	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013	Day of Week Sat -	Time 09:22 -
Location Of Incident (Or Address) 100 SEA WORLD DR			City San Diego	District	Beat 123
Person(s) Involved: Victim Butera, Richard Frank					
Suspect (If Named) Cargnoni, Giacomo James					
Property Tag No.(s) 1306000530					

SYNOPSIS:

Giacomo CARGNONI threatened [REDACTED] with a gun at [REDACTED] per SDPD case # 13-021570. Police were called to this incident. Officers contacted CARGNONI in his vehicle in the area of 100 Sea World Dr. and they initiated a "vehicle hot-stop." During the hot-stop, CARGNONI did not comply with commands and began to search for something inside his vehicle.

Officer Rick BUTERA arrived and said he saw CARGNONI with what he believed was a gun in his hands. BUTERA also said he saw CARGNONI raise his hands in a shooting position and point at the officers conducting their hot-stop.

This incident resulted in an Officer Involved Shooting. Homicide Team 5 was assigned the case and is related to case # 13-021594.

For complete details of the investigation see the Homicide Team 5 complete investigation.

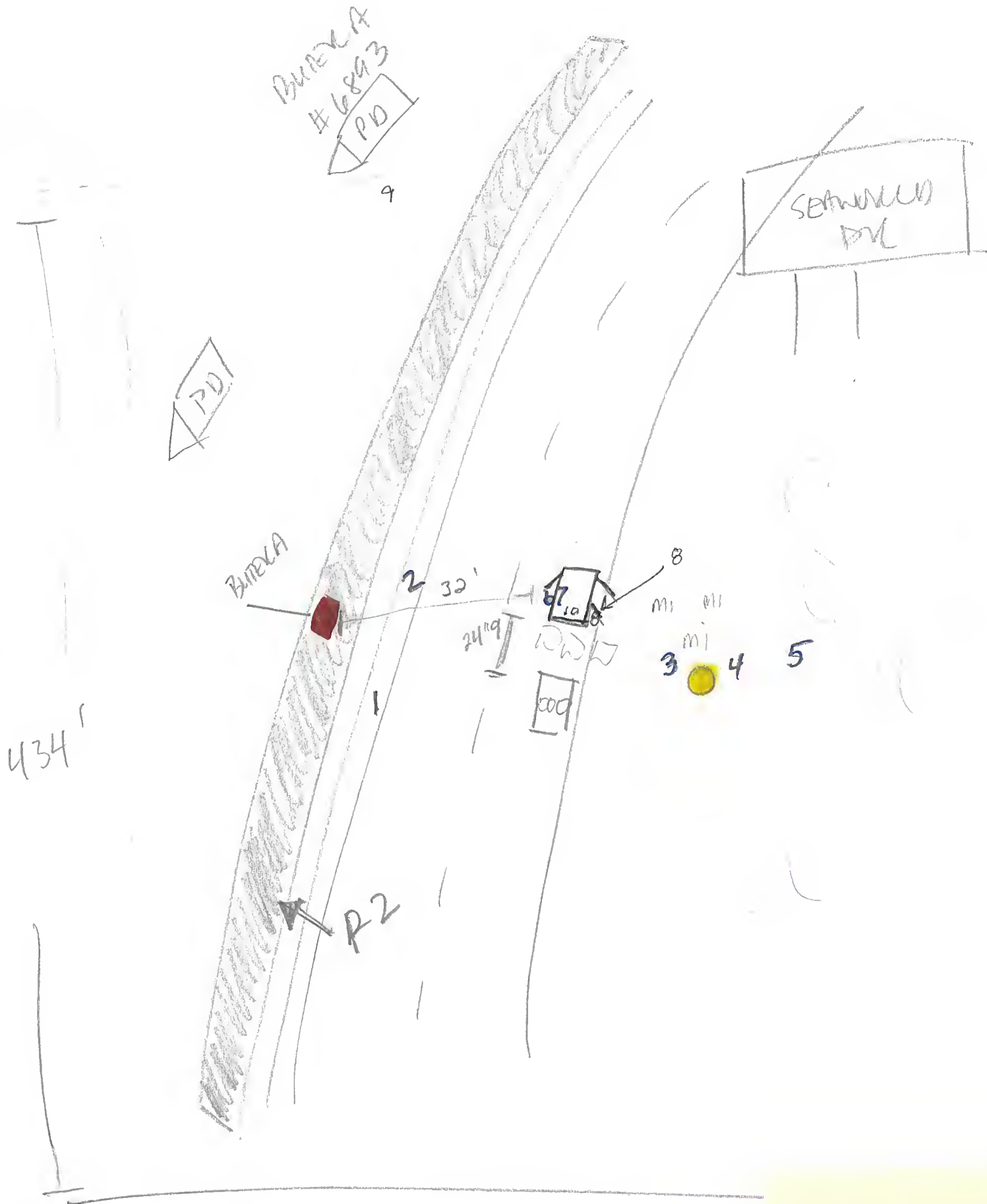
Reporting Officer DEL TORO	ID # 4754	Division INV_HOMICIDE	Approved By	Date of Report 6/4/2013	Time 12:53
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OIS Case #: 13-021594

Officer: Butera, Richard

Suspect: Cargnoni, Giacomo

Date/Time: 6/1/13 @ 0922 Hrs

Location: 100 Sea World Drive

San Diego, CA

Scene Investigator: Det. C. Leiby, #5869

Approved by: [Signature]

Prepared by: Leland Welsh, #0586

Key:



Evidence lying on surface

Evidence within/under object

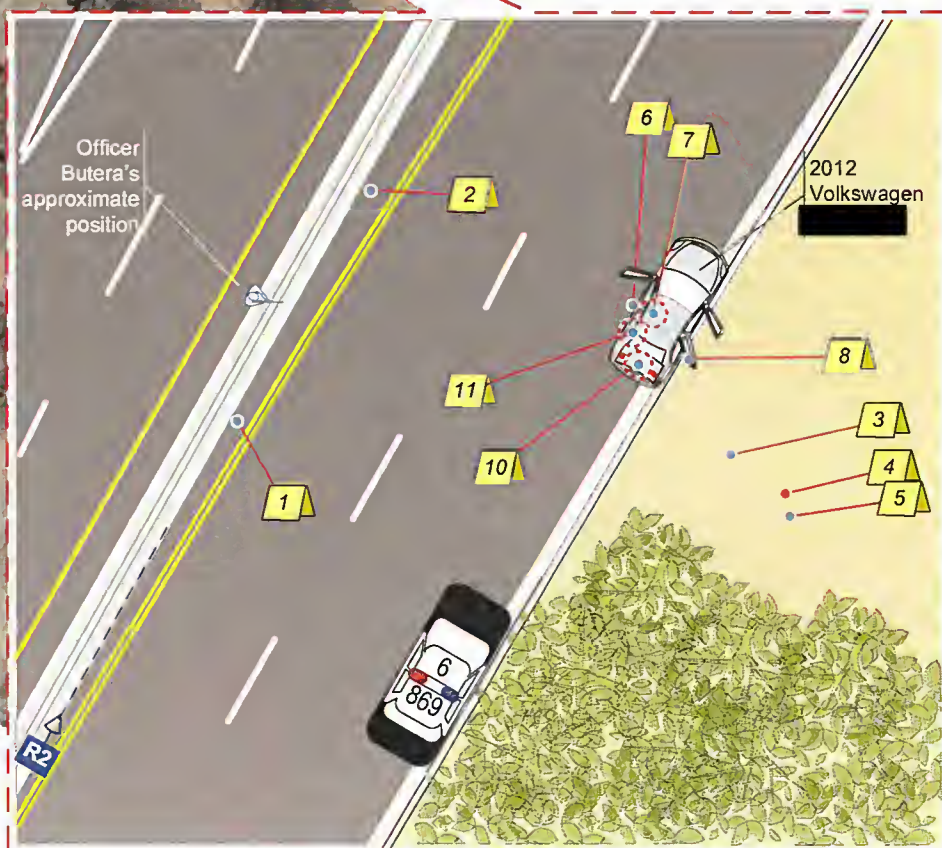
Location of blood or DNA swab

Evidence Markers

- 1 Shotgun cartridge shell
- 2 Shotgun cartridge shell
- 3 Folding knife
- 4 Swab of blood on dirt
- 5 Sunglasses
- 6 One pill
- 7 One pill
- 8 Shotgun pellet
- 9 Scope cover
- 10 9-mm handgun (removed from Volkswagen)
- 11 Blue dress shirt (removed from Volkswagen)



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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

CRIME SCENE INVESTIGATION:

CALL OUT:

On June 1, 2013 at 0945 hours, I received a call at home from Sergeant Manny DEL TORO #4754 directing me to respond to 100 Sea World Drive to assist with an officer involved shooting investigation.

I arrived at the scene at 1030 hours. I noted the sky was partially cloudy and the temperature was approximately 65 degrees.

The genesis of the officer involved shooting originated as a result of a 'hot stop' (traffic stop) involving a dark gray, 2012 Volkswagen Jetta, bearing California License plate [REDACTED]. Prior to the initiation of the traffic stop, police officers from Western Division responded to a radio call of an individual brandishing a firearm outside of an apartment complex located at [REDACTED] (Beat 614). A description was broadcast to officers of the suspect and the vehicle he fled in.

Officers located a possible suspect vehicle in the area of Dusty Rhodes Park and followed the Jetta as it traveled northbound on Sunset Cliffs Boulevard. The officers initiated a traffic stop on the subject vehicle, which yielded on the north side of the Sunset Cliffs Bridge, just past the location where Sunset Cliffs Boulevard becomes Sea World Drive (Beat 123).

It was during the 'hot stop' the suspect produced what Officer Richard BUTERA, #5876, believed to be a gun. The suspect took a shooting position with the object in his hand and pointed that object at the officers. Officer BUTERA discharged his 12-Gauge shotgun two times at the suspect, which ultimately resulted in the suspect's death. The object in the suspects hands was later determined to be a black handled folding knife

The scene was located east of the cement jersey wall, which divides the north and southbound traffic lanes at 100 Sea World Drive. The scene extends to the east beyond the northbound traffic lanes, approximately 53 feet from the cement jersey wall to the furthest piece of evidence; a pair of sunglasses marked as (Item #5).

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The area of the crime scene is generally uninhabited and is primarily used as a thoroughfare between the communities of Ocean Beach and Mission Beach. The area is frequently used for recreational means as there are bicycle pathways in the area connecting Ocean Beach and Mission Bay Park. The location of the scene is in police service Beat-123.

Patrol officers and crime scene tape were protecting the scene perimeter. Northbound traffic on Sunset Cliffs Boulevard was blocked off as well as southbound traffic on Sea World Drive to further protect the integrity of the shooting scene.

HOMICIDE PERSONNEL AT SCENE:

Present from the Homicide Unit were Lieutenant Jorge DURAN, ID #4207, Sergeant Manuel DEL TORO, ID #4754; Detectives Jana BEARD, ID #4807, Gary GONZALES, ID #5328, and Angelica NAVARRO, ID #5413 (Internal Affairs-Relief). Crime Scene Specialists Jennifer SANDERS, ID #8392 and Joe BERNER, ID #8791 along with Criminalist Eugene LACHINMA, ID #8757 assisted from the San Diego Police Crime Laboratory in processing the evidence at the shooting scene.

Others present for the briefing included the following: Assistant Chief Cesar SOLIS, ID #3221, Captain Andrew MILLS, ID #3522, Lieutenant Bernie COLON, ID #4614, Lieutenant Brian GOLDBERG, ID #4573, Sergeant Jason WEEDEN, ID #5563 and Acting Sergeant Esmeralda TAGABAN, ID #6794.

BRIEFING:

At approximately 1100 hours, after the entire Homicide team was assembled, Acting Sergeant TAGABAN briefed us on the incident. The briefing took place while standing south of the scene in the 100 block of Sea World Drive. Acting Sergeant TAGABAN essentially told us the following:

At 0912 hours, San Diego Police Communications Division received a 911 call from [REDACTED] stating an individual was at her apartment complex located at [REDACTED] brandishing a firearm.

The weather conditions were clear and the temperature was 65 degrees.

Western Division patrol officers were dispatched to the call at 0912 hours. Officer John CARPENTER, ID #5429 (Unit-618J1) was the first officer to arrive at the scene. The second officer to arrive on scene was Officer Jeffrey MARTINEZ, ID #5668 (Unit-613B1) followed by Officer Bradford GREEN, ID #6820 (Unit-614B1) and Richard BUTERA, ID #5876 (Unit-621B1).

Officer KELLINGTON, ID #6384 (Unit-615J1), Sergeant Nick BORELLI, ID #4584 (Unit-621S1) and myself (Acting Sergeant TAGABAN) were also present.

The victim of the assault with a firearm (subject of the radio call) was identified as [REDACTED] who resides at [REDACTED]

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Investigator's Report

Crime Scene

Case #13-021594 and 13-021595

Page 3

Paramedic #20 and Engine #20 responded to the shooting scene. Medic #20 transported the suspect to UCSD Hospital. The following are the listed Paramedic personnel attached to Medic #20: Adam SWEAT, ID #AS9502, Dennis CREAMER, ID #DC3076, and Simmon KOCH, ID #SK4352. Officer Kristopher SPENCER, ID #6811 was directed to ride in the ambulance to UCSD with the suspect. The suspect made no statements at the scene nor did he make any statements in the ambulance.

The suspect was pronounced deceased by Dr. GODAT at 1044 hours.

The suspect has been identified as Giacomo James CARGNONI, born October 9, 1991. CARGNONI was found lying on his back on the ground, with his head facing southbound and two gunshots to his torso.

██████████ called police to report a white male with no shirt on was pointing a gun at her neighbor. Officer CARPENTER located the vehicle near Dusty Rhodes Park, traveling northbound on Sea World Drive. Officer CARPENTER broadcast the license plate, ██████████ and waited for cover. Officer MARTINEZ then arrived and a 'hot stop' was conducted at 100 Sea World Drive.

CARGNONI exited his vehicle and ran over towards the passenger side of the vehicle. CARGNONI began rummaging through items on the front seat as officers were giving lawful orders to stop. CARGNONI then went towards the trunk area of the car. CARGNONI opened the trunk of the car and began rummaging through the items inside of the trunk. CARGNONI went back to the passenger side of his vehicle and continued rummaging through the interior of the car. CARGNONI appeared to have something in his hand and appeared to be simulating he had a weapon. CARGNONI brought his hands up and pointed the object in his hand at the officers (as if taking a shooting stance).

It was at this time Officer BUTERA discharged a round with his shotgun. CARGNONI fell down and rolled on the ground. CARGNONI got back up again and continued to simulate he was armed with a weapon. The officers continued to give CARGNONI verbal commands. Officer BUTERA discharged his shotgun a second time after CARGNONI ignored the officers' commands.

What we've learned from the reporting parties is that CARGNONI had been temporarily staying at ██████████ with his friend, ██████████. This morning ██████████ discovered CARGNONI had stolen his credit card. ██████████ found CARGNONI this morning asleep on ██████████ bedroom floor. ██████████ confronted CARGNONI about stealing his credit card. A fight ensued and CARGNONI armed himself with a box cutter.

CARGNONI took off his shirt during the fight and CARGNONI left ██████████ apartment. ██████████ followed CARGNONI out of the apartment as he walked to his Volkswagen.

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Investigator's Report

Crime Scene

Case #13-021594 and 13-021595

Page 4

CARGNONI then produced a black semi-automatic handgun and pointed the gun at the back of [REDACTED] head. Two independent witnesses observed CARGNONI brandish the firearm and called police.

The two witnesses, [REDACTED] were returning home from grabbing a cup of coffee when they witnessed CARGNONI pointing the firearm at [REDACTED]

[REDACTED] was able to escape CARGNONI by walking away from him.

The suspect left the area in the Volkswagen and was subsequently located by officers who initiated a traffic stop at this location, 100 Sea World Drive.

[REDACTED] is a witness to the officer involved shooting and recorded the incident on his cellular phone. [REDACTED] is standing by and waiting to be interviewed.

An additional witness, [REDACTED] also witnessed the shooting. She is not present at the scene but can be reached later by phone to be interviewed.

SCENE VIEWING:

At the conclusion of the briefing, Sergeant DEL TORO assigned me to be the crime scene investigator. Crime Scene Specialist Jennifer SANDERS and Joe BERNER, along with Crime Scene Criminalist Eugene LACHIMA were assigned to assist me.

At approximately 1155 hours, CSS SANDERS began taking overall photographs of the scene. The photographs taken by SANDERS depict the scene as we found it. After my preliminary viewing overall photographs were taken, I escorted Criminalist Eugene LACHIMIA, and Detective BEARD to view the scene. After the viewing, I began processing the scene for evidence. Criminalist LACHIMIA conducted a parallel investigation. *(Refer to LACHIMIA's report for further details).*

At about 1310 hours, a walk-through was conducted with Officer BUTERA in an effort to determine his approximate location at the time he fired his weapon and how many rounds he believed he fired. *(The walk through was digitally recorded but should not be considered a formal interview)* Detective Sergeant DEL TORO conducted a formal interview with Officer BUTERA and his attorney and obtained a statement regarding the events surrounding the shooting. *(Refer to Sergeant DEL TORO's report for further details of Officer BUTERA's statement).*

The scene was located in the northbound traffic lanes of 100 Sea World Drive between the north end of the Sunset Cliffs Bridge and the ¼ mile exit sign for W. Mission Bay (loop) and Ingram Street exit. The scene extended to the east past the east curb line approximately 20 feet. The area to the east of the east curbline consisted of a sandy, dirt area with mature trees lining the area.

The surrounding areas were lined with additional mature trees and vegetation throughout. Bicycle pathways and recreational areas, along with the San Diego River borders the shooting scene to the south. To the north is a thoroughfare leading to Sea World Park. To the east of the shooting scene is an open space with sandy

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top soil. Further east is the bicycle pathway which parallels the San Diego River. To the west of the shooting scene are the southbound traffic lanes of 100 Sea World Drive. Beyond those southbound traffic lanes to the west are additional vegetation and recreational areas/park.

Parked along the east curblin of 100 Sea World Drive was a gray, 2012 Volkswagen Jetta. I noted the license plate attached to both the front and back of the Jetta was [REDACTED] *(It should be noted the Volkswagen was 287.3 feet north of the north end of the Sunset Cliffs Bridge - R-1).*

Parked approximately 24.9 feet behind (south of) the Volkswagen Jetta was San Diego Police Department patrol vehicle #6869. *(It should be noted that I obtained this measurement by marking the back bumper of the Volkswagen to the front bumper of the first patrol car behind the Volkswagen).*

The Volkswagen's front driver side window was rolled down. The rear driver side window appeared to have been rolled up at the time of the shooting; however, the window was now blown out by shotgun pellets and/or fragments of the pellets from the first shotgun round fired by Officer BUTERA. Both passenger side windows were rolled down.

I noted a blue dress shirt hanging on a plastic hanger next to the rear driver side seat. I noticed a pair of gray colored dress pants hanging on the same hanger concealed within the dress shirt. I observed several tearing and holes on the right upper shoulder of the dress shirt. The tearing and holes in the shirt were consistent with shotgun pellets having traveled through the material of the shirt. *(The blue dress shirt was later collected as evidence and identified as Item #11)*

The driver door was open, the rear driver door was shut and both passenger doors were open. The trunk was open and entirely ajar. I observed miscellaneous clothing items along with a wicker basket strewn on the asphalt below the trunk. I observed a pair of ear buds or headphones hanging out of the trunk onto the street below. The gasoline cap positioned on the passenger side of the Volkswagen was ajar.

At 1410 hours, CSS BERNER conducted a search of the trunk area and located a black metal handgun concealed underneath loose clothing and personal items. This item was collected as evidence and identified as Item #10. The firearm bore the engraving, 'IWI' on the handle and was stamped with, 'Magnum Research' and, 'Made in Israel.' The firearm appeared to be a 9mm. It is unknown at the time of this report if the gun was loaded.

Resting on the roadway below the driver door was broken glass and a car key and keychain. The car key had the Volkswagen emblem stamped on it. *(It should be noted that I later used this key to start the Volkswagen and determined it to be the corresponding key to the car.)*

Found on the roadway below the driver door near the car key was two white pills. Those pills were later collected as evidence and identified as Item #6 and Item #7. *(It should be noted that I measured the distance between the two pills found on the ground and they were 31.11-feet east of the cement jersey wall)*

While standing outside of the Volkswagen I examined the interior of the car. I saw six white tablet pills resting on the driver seat. Those six pills appeared to be the same style of pill we located on the asphalt. Those pills were later collected as evidence and identified as Item #12. Also observed resting on the driver

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seat was a pack of 'Parliament-100' cigarettes and a plastic lid for a prescription bottle. On the floorboard of the driver seat was a 'Pure Coconut Water' drinking container.

Although the rear passenger door window was rolled down, the wing window connected to that door was destroyed. The wing window does not have the capability of being rolled up or down. The broken wing window is consistent with the initial shot having been fired by Officer BUTERA towards the area of the Volkswagen and pellets striking this particular window. After further examining this area, Criminalist LACHIMIA located a mangled (shotgun) pellet resting on top of the rear passenger door wing window. This item was collected as evidence and identified as Item #8. *(For further details regarding this item refer to Criminalist LACHIMIA's report).*

Resting on the front passenger seat was an "Apple I-Pad" covered in a green case and an orange plastic prescription bottle. The prescription bottle contained several white tablet pills consistent in shape and size to the pills found on the driver seat and on the street below the driver door.

The glove box was opened and car shifter was in 'Park.' Miscellaneous clothing items and bags littered the interior of the Volkswagen. Two cords (believed to be electronic chargers) extended out from the front dashboard consol.

East of the east curblin, just beyond the Volkswagen were several medical intervention items strewn across the ground. A yellow hard plastic briefcase with 'San Diego Fire Department' engraved marking was also found. This was later determined to have been an item accidentally left behind by Medic #20 personnel. I later learned the briefcase contained additional medical intervention tools such as medications. At 1240 hours, I released the briefcase to San Diego Rural Metro Fire Operations Supervisor, A.T. (Todd) SMITH #41349.

Intermingled with the medical intervention items, a pocket knife was also located. The knife had a black handle and a silver metal colored blade. The pocket knife was folded open and the blade appeared to be fully extended out. This knife was later collected as evidence and identified as Item #3. This appeared to be the location where the decedent came to rest after having been struck by Officer BUTERA's second shot. The decedent was not present at the crime scene due to being transported by way of ambulance to UCSD Hospital where he later died as a result of the injuries he sustained.

Approximately five feet to the east of the knife was a band of blood soaked into the sandy ground. The band of blood was listed as evidence and identified as Item #4. CSS SANDERS later collected a swab sample of the blood band as evidence.

About two feet to the east of the knife was a pair of sunglasses resting on the sandy ground. This item was collected and identified as Item #5.

Patrol car #6893, belonging to Officer BUTERA was located to the north of the shooting scene in the southbound traffic lanes, as it initially was used to block southbound traffic on Sea World Drive during the 'hot stop.' *(it should be noted vehicle #6893 was parked 434 feet north of the north end of the Sunset Cliffs Bridge - R-1).*

Found on the roadway just east of the driver door of Officer BUTERA's patrol car was a rubber scope cover corresponding to his shotgun. This item was collected as evidence and identified as Item-#9.

Found on the roadway on the eastside of the cement jersey wall (*that divides northbound and southbound traffic lanes of 100 Sea World Drive*) were two expended shotgun shell casings (Item #1 and Item #2). Those items were located in the northbound traffic lanes approximately two feet east of the jersey wall. (*It should be noted that Officer BUTERA was firing his weapon from the west side of the cement jersey wall*)

I later measured the distance between those two expended shotgun shell casings and determined they were 26.1 feet apart. This is consistent with Officer BUTERA firing the first shot and moving southward to obtain a better firing position and angle for the second round fired.

Items-#1-8, were photographed, measured and collected. Items-#9-11 were photographed and collected. The measurements were obtained using a laser. (*Refer to photograph, scene diagram and attached measurement table for details of location*) As each item was located, each individual item was assigned an evidence placard number when appropriate. Overall photographs were taken showing the relationship of each items of evidence.

Prior to the evidence being collected, when appropriate, close-up photographs were taken with the numbered placards indicating an evidence number of each item.

Crime Scene Specialist SANDERS and BERNER collected the items of evidence by using standard acceptable procedures and later transported the evidence to the police laboratory for impounding.

At 1318 hours, I gave Detective Sergeant DEL TORO the car keys which belonged to Officer BUTERA's patrol car. I did this so Sergeant DEL TORO and CSS SANDERS, along with Criminalist LACHIMIA could collect Officer BUTERA's shotgun. At the time, Officer BUTERA's shotgun was secured inside of his patrol car, locked in the shotgun rack within the patrol vehicle.

At 1340 hours, Officer Douglas CAMPBELL, ID #6193 arrived to assist with providing jumper cables to start Officer BUTERA's patrol car. It appeared Officer BUTERA's patrol car battery had died as I noted his light bar switch was in the Code-3 position, but his lights were off and his car would not start on its own. Once the patrol car battery was charged and vehicle ignition activated, CSS SANDERS and Criminalist LACHIMIA collected the "Benelli" shotgun from Officer BUTERA's patrol car.

At 1440 hours, the Volkswagen was towed from the shooting scene and transported to Traffic Division followed by Officer Jeremy MARGOLIS, ID #6492. The Volkswagen was processed the following day by CSS SANDERS and me. (*Refer to vehicle processing report for details*).

CSS SANDERS, BERNER and I checked the area for evidence. None was located. I secured the scene at approximately 1503 hours.

The following chart lists the items taken and their approximate location at the crime scene.

EVIDENCE MEASUREMENTS:

Legend:

R1: South end of Sunset Cliffs Bridge (All items are north of R-1)

R2: East of the cement jersey wall at 100 Sea World Drive (All items are east of R-2)

HT:

LOS: Line of sight measurement

ITEM #	DESCRIPTION	R1	R2	R3	R4	R5	R6	HT
1	One (1) shotgun cartridge shell *second shot fired	264'	2'6"					
2	One (1) shotgun cartridge shell	290'10"	1'6"					
3	One (1) folding knife	287'2"	44'7"					
4	Blood band on dirt	286'5"	50'4"					
5	Sunglasses	284'5"	52'4"					
6	One (1) pill	295'	31'11"					
7	One (1) pill	295'8"	32'07"					
8	One (1) shotgun pellet	292'7"	39'3"					
9	Scope cover							
10	One (1) Handgun / 9mm *In Volkswagen							
11	One (1) Blue dress shirt *In Volkswagen							

Reporting Sergeant Christopher LEAHY

I.D. 5869

Homicide Team: V

Approved by:

[Redacted Signature]

4754

Date of this report:

06/03/2013

Time: 1745 Hours

06/06/13

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 2, 2013 (Sunday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Drive
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

MORGUE SCENE:

On June 1, 2013, Giacomo CARGNONI was shot and killed by SDPD Officer Richard BUTERA, #5873, after CARGNONI simulated holding and pointing a firearm at police officers during a vehicle 'hot stop.' CARGNONI's aggressive behavior prompted a response by police to the perceived threat and Officer BUTERA discharged two rounds from his Benelli shotgun at CARGNONI.

On January 2, 2013, beginning at approximately 0930 hours, Detective Gary GONZALES, #5328, and I were witnesses to the autopsy of Giacomo CARGNONI at the San Diego County Medical Examiner's office. Deputy Medical Examiner Dr. MORHAIME conducted the autopsy. Forensic Assistant Fabian KING assisted Dr. MORHAIME. Crime Scene Specialist Jennifer SANDERS, #8392, photographed the proceedings and collected evidence.

Prior to the examination of CARGNONI, his body was x-rayed to determine the presence and location of any projectiles or broken bones. Dr. MORHAIME told me she observed six projectiles lodged inside of the decedent after viewing the x-rays.

The decedent was first observed contained in a white zippered body bag on an examining bay table. The bag was sealed with a red tamper proof seal bearing number 2390736. The case was assigned Medical Examiner case number 13-1284.

SANDERS began taking overall photographs of the body bag in which the decedent was incased. Dr. MORHAIME then broke the red seal and exposed the decedent who was laying supine on the table. SANDERS then took additional photographs of the decedent in his present condition and continued doing so until the conclusion of the autopsy.

The decedent's head, and feet were covered with brown paper bags while white paper bags covered the decedent's hands. These items were later removed from the decedent and was collected by SANDERS

There were signs of medical intervention efforts, most notably electro-cardio adhesive pads on the decedent's chest, an air way device in his mouth and brace around his neck. These items were discarded.

The decedent was unclad, however a pair of black 'Live Strong' sweatpants and underwear were recovered from within the white zippered bag. The sweatpants appeared to have been cut off the

(1)

(2)

(3)

decedent, most likely by medical personnel during life saving efforts. These items were collected by SANDERS.

The decedent wore no jewelry. The decedent had no tattoos.

SANDERS conducted fingernail scrapings and collected the matter. SANDERS also collected an oral swab, and head hair sample from the decedent.

KING then washed the decedent. After the decedent was washed, SANDERS photographed the decedent in his present condition. I then began to closely observe the decedent as Dr. MORHAIME viewed and examined him for wounds and irregularities. The viewing commenced with the decedent's head and face.

The decedent appeared to be a Caucasian male consistent with the stated age of 21 years. He was approximately 69 inches tall and weighed approximately 160 pounds. He had brown hair and brown / hazel colored eyes. His hair length was approximately 1 to 1.5 inches long. He was freshly shaved and was otherwise well groomed.

THE FOLLOWING TRAUMA WAS NOTED:

The decedent's entire body was viewed by Dr. MORHAIME and me. The following is what I observed that was of note:

Seven (7) penetrating gunshot wounds and four (4) perforating gunshot wounds were located on the decedent's upper chest that measured approximately seven inches in width and eight inches in length.

There were four (4) corresponding exit wounds on the mid to upper right side of the decedent's back the pattern of which was approximately four inches in length. There was a visible injury to the side of the decedent's left chest and inside left arm near the elbow. Those injuries corresponded when the decedent was in the supine position and after further examination were determined to be a grazing wound caused by a shotgun pellet.

The decedent had a penetrating gunshot wound on the inside of his right arm below the elbow.

There were small abrasions to the decedent's face below his left eye, and two abrasions on the decedent's forehead and an abrasion on the right cheek.

Abrasions were observed on the back of both upper shoulders.

There was a small abrasion on the inside of the decedent's left arm.

There were abrasions on the decedent's left leg below the knee and additional abrasions above the left ankle on top of shin area.

There were abrasions noted on the decedent's right knee and on the right big toe. The injury to the toe had dried blood around it.

Dr. MORHAIME located and recovered three (3) projectiles from the back of the decedent as she was able to feel the pellets with her hands as she touched the decedent's back.

Investigator's Report
Morgue Scene: CARGNONI, Giacomo
Case #13-021594 and #13-021595
Page 3

Dr. MORHAIME located and recovered three (3) projectiles from the chest cavity area of the decedent. Dr. MORHAIME located and recovered a seventh projectile lodged in the decedent's right arm.

CSS SANDERS took custody of those seven (7) projectiles and collected them as evidence.

Dr. MORHAIME informed me the cause of death was shotgun wounds to the torso region which caused injury to the heart and lungs and various vital organs. Dr. MORHAIME told me the shotgun pellets struck the decedent's right lung, heart, liver, stomach and spleen. The manner of death was ruled a homicide.

I concluded my observation of the autopsy at this point. I left the Medical Examiner's Office at approximately 1605 hours.

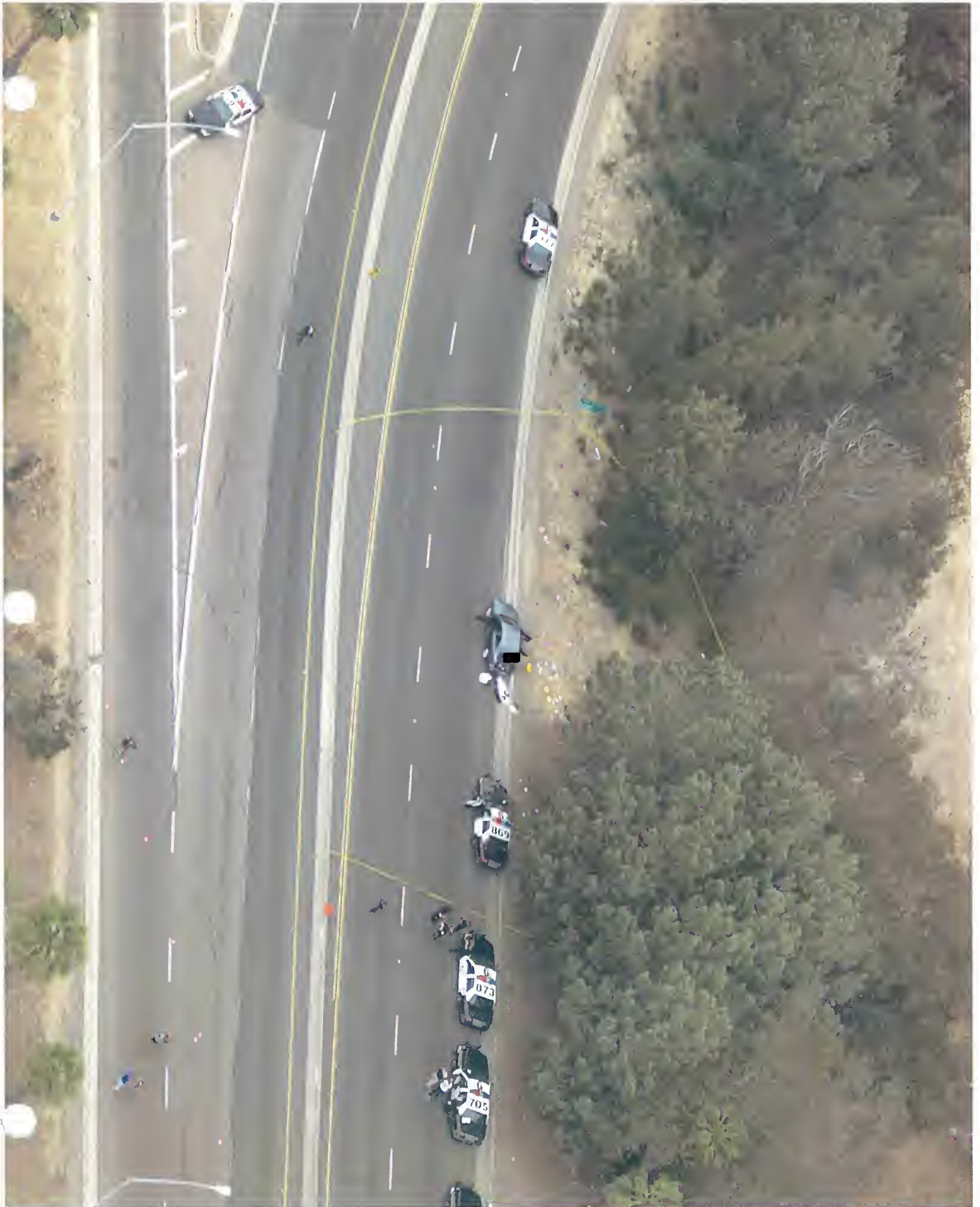
Reporting Detective: Christopher LEAHY I.D. 5869 Homicide Team: V
Approved by: [REDACTED] 4754 Date of this report: 06-04-2013 Time: 0630 Hours
06/06/13

















**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013

TIME (occurrence): 0922 Hours

LOCATION: 100 Sea World Drive (North Bound)

SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: Sergeant Nicolas BORRELLI #4584
DOB: [REDACTED] W/M, [REDACTED]
San Diego Police Department
Western Division
[REDACTED]

WITNESS STATEMENT:

On June 1, 2013, at approximately 0945 hours, I received a telephone call from Team V Homicide Sergeant M. Del Toro, #4754, informing me there had been an officer involved shooting. He directed me respond to 100 Sea World Drive. I arrived at the location at 1030 hours. At approximately 1100 hours an incident briefing was given by Acting Sergeant E. TAGABAN #5794. After the briefing, I was assigned to conduct witness interviews. I interviewed Sergeant Nicolas BORRELLI #4584 at Western Division at 1411 hours. My interview with Sergeant BORELLI was audio recorded and was obtained privately. Sergeant BORELLI in essence told me the following. Refer to the audio recording for his verbatim statement:

It was around 0920 hours this morning when I heard a call of a 417 PC with a gun (brandishing a firearm) at [REDACTED] I heard over the radio that A/Sgt E. Tagaban was on her way to the call. It was a slow morning, so I decided to head to the area to help look for the suspect's vehicle. I was driving westbound Sea World Drive when I heard Officer Carpenter state over the air (police radio) that he located a possible suspect vehicle traveling north bound on Sunset Cliffs Blvd which was described as a gray Volkswagen. Sunset Cliffs Blvd turns into Sea World Drive after the Sunset Cliffs bridge. I was driving south bound on Sea World Drive. Officer Carpenter and I were driving in opposite directions and towards each other. There is a jersey wall that divides the four lanes of traffic. I saw Officer Carpenter pass me in the opposite direction. There were at least two police vehicles following the gray car. I drove to the I-8 intersection and made a U-turn. I sped up, so I could catch up but by that time, the officers had announced they were stopping the vehicle and had begun the hot stop.

When I arrived on scene there were four patrol vehicles on the right shoulder. I positioned my vehicle across the lanes of traffic so cars could not go by during the hot stop. I exited my car and began walking toward the stop. I could hear the officer giving the suspect commands. I heard the officers say, "put your hands up, exit the vehicle". I saw the driver exit the vehicle with his hands straight in



the air. I saw him spin round with his hands still in the air and face the officers. The driver then spun around facing away from the officers. I think he briefly walked backwards but I am not too sure because I was walking toward the hot stop. I am going to assume it was Officer Carpenter giving the driver commands because he was the first one to initiate the stop. The driver was initially cooperating and following the commands given by the officers. After the driver turned away from the officers, he ran back to the driver's side door.

The driver was later identified as Giacomo CARGNONI.

The next thing I noticed was Officer BUTERA running west bound on Sea World Drive toward the stop. He was running down the west bound lanes and had not cleared the jersey wall. Officer BUTERA positioned himself next to the vehicle but was still behind the jersey wall. He used the jersey wall for cover. By this time I had made my way up to the trunk of the patrol vehicle positioned in position number one. I could hear the officers yelling at CARGNONI and yelling out something about a gun. CARGNONI was not cooperating. I could see CARGNONI at the trunk of his vehicle throwing things out. I could hear all four officers yelling at him. The officers made reference to a gun and told CARGNONI to put his hands up but he refused to cooperate. The CARGNONI continued to take things out of his trunk and I could still hear the officers give commands to him. I wasn't yelling; I was just watching.

CARGNONI then went over to the passenger side of his vehicle and opened the front passenger door and began rifling through it. The officers continued to yell out commands. CARGNONI came out of the car and had something in his hands. I am not sure what he had. CARGNONI took a shooting stance. He was standing next to the right rear passenger door. His arms were extended out, his knees were buckled and whatever he had in his hands was pointed at the officers. I couldn't tell what CARGNONI had in his hands. Because CARGNONI had taken a shooting stance and the nature of the original call made reference to a gun; I assumed what CARGNONI was holding was a gun.

I took cover behind the trunk of the patrol vehicle. I didn't have a clear shoot of CARGNONI because there were four officers in front of me. I decided not to draw my handgun. The officers were yelling to CARGNONI to drop his gun. CARGNONI refused to comply, and then I heard a gunshot. After the gunshot, I saw CARGNONI move seven to ten feet into the brush area. I think it was the gunshot that carried him over there. It didn't appear that CARGNONI dropped from the gunshot because he walked back and began to lean over to pick up what he had dropped and that's when I heard the second gunshot. CARGNONI then fell to the ground.

I believed it was Officer BUTERA who had shot the shotgun, but I still decided to ask the other officers if anyone else had shot their weapons. Officer BUTERA was the only one who fired a weapon. I could see both Officer BUTERA to my left and CARGNONI to my right. After Officer BUTERA shot off his first round he moved his position several feet south of where he was standing but continued to stay behind the jersey wall and fired the second shot from there. After the second shot CARGNONI went down. The officers and I approached as a team. CARGNONI was face up and had to be turned over in order to be handcuffed. One of the officers stated he could feel a faint pulse and therefore Officer RADASA began CPR. I called for paramedics and began to manage the scene.

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Investigator's Report

Witness: BORRELLI, Nicolas

Page 3

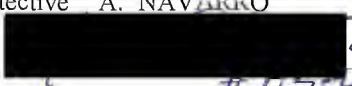
Officer BUTERA placed the shotgun back in his patrol vehicle. He told me he did not unload the shotgun before placing back into his vehicle. I heard all the officers yelling at CARGNONI. I can't say if I heard Officer BUTERA specifically.

I was not in a position to fire my weapon because I had four officers in front of me. I think I would have fired if I was in a better position to. I believed CARGNONI had a gun. That is why I took cover behind the trunk of the police vehicle.

I concluded my interview with Sergeant BORRELLI at 1424 hours.

Reporting Detective A. NAVARRO

I.D. 5413 Homicide Team: Relief

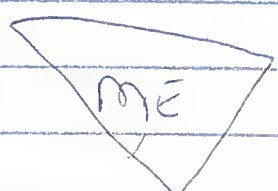
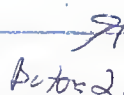
Approved by: 

06/11/13

Date of this report: 06-04-13 /an Time: 0900 Hours

44754

on ramp



SEA WORTH DRIVE

100

By N. Borrelli

6/1/2013



OFFICE USE ONLY

Examiner's Initials: _____

Examiner's ID #: _____

Date of assignment: _____

of items processed: _____

 Developed Latent Prints: Yes ☐ No ☐
FORENSIC SCIENCE
SECTIONSan Diego Police
DepartmentLATENT PRINT
DEVELOPMENT

WORK REQUEST

CASE PRIORITY

☐ Prelim Date: _____☐ Trial Date: _____Attorney Information
(Mandatory for Prelim or Trial)

DDA: _____

Phone: _____

Today's Date: June 10, 2013Case **and** Incident #: #13-021594 // Inc. #13060000530Charge: 245 P.C.Additional Case and/or Incident #'s: #13-021595 // Inc. #13060000530Series Related: Yes ☐ No ☐Victim (s): BUTERA, Richard #5876Suspect (s): CARGNONI, Giacomo DOB: 10/09/1991Requesting Detective: Leahy ID # 5869Requesting Detective's Division: Homicide Mail Station: 713Phone #: [REDACTED]Requesting Detective's E-Mail (Required): [REDACTED]

BARCODE NUMBER AND DESCRIPTION MUST BE LISTED BELOW
INCOMPLETE FORMS WILL BE RETURNED TO THE REQUESTER
ITEMS ANALYZED AND METHODS USED ARE AT THE DISCRETION OF THE LABORATORY

Crime Scenario (brief description of events, or circumstances leading to collection and processing):

During a traffic stop on a 245-gun vehicle, the suspect, CARGNONI, threatened officers and was shot and killed by police.

Barcode / PT #

Item #

Item Description

DNA Requested?

10233622

3

Knife

Yes ☒ No ☐

10233630

10

Gun

Yes ☒ No ☐Yes ☐ No ☐Yes ☐ No ☐Yes ☐ No ☐

Evidence was/will be released to the Property Room/Narcotics Vault on/after: _____

Examiner: _____

Technical Review By: _____

Date: _____

Title: Crime Scene Specialist

Administrative Review By: _____

Date: _____

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SAN DIEGO POLICE DEPARTMENT

Forensic Science Laboratory DNA Request Form

If emailed, must be sent as attachment to: labrequests@pd.sandiego.gov

(As more information is added, form will expand to 2nd page)



Victim(s): BUTERA, Richard #5876

Suspect(s) : CARGNONI, Giacomo

Incident #: 13060000530 Case #: 13-021595

Date of Crime: 06/01/2013 Today's Date: 06/10/2013

Requestor Name and ID #: Leahy #5869 Investigative Unit: Homicide / Team-V

Phone #: [REDACTED] M.S. # 713 Charge(s): 245 P.C.

Email: [REDACTED]

Case Priority:

☐ Lead ☐ Issuing

☐ Prelim.

☐ Trial

Attorney Information:
(mandatory for Prelim or Trial)

DDA:

Phone:

ITEMS ANALYZED AND METHODS USED ARE AT THE DISCRETION OF THE LABORATORY

Request for ALPS computer or latent print comparisons must be submitted on form PD-299

Crime Scenario (brief description of events, or for guns, circumstances leading to collection):

During a traffic stop on a 245-gun vehicle, the suspect, CARGNONI, threatened officers and was shot and killed by police.

Scene Evidence to be DNA Tested:

<u>PT/Barcode #</u>	<u>Item #</u>	<u>Item Description</u>
10233622	3	Knife
10233630	10	Gun

DNA Service Requested: A DNA sample was obtained from CARGNONI during his autopsy. I am requesting DNA work be completed on both the firearm recovered from CARGNONI's vehicle and the knife he threatened the officers with.

Reference Samples from available suspect(s) and victim(s):

Note: the presence of a suspect(s) DNA profile in the CODIS database does not eliminate the need to collect a reference sample.

Name: <u>CARGONI, Giacomo</u>	PT/Barcode: <u>10233649</u>	Item #: <u>26</u>	<input checked="" type="checkbox"/> (S) <input type="checkbox"/> (V)
Name: <u> </u>	PT/Barcode: <u> </u>	Item #: <u> </u>	<input type="checkbox"/> (S) <input type="checkbox"/> (V)
Name: <u> </u>	PT/Barcode: <u> </u>	Item #: <u> </u>	<input type="checkbox"/> (S) <input type="checkbox"/> (V)

Sergeant Name: M. DEL TORO Phone #: [REDACTED]

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SAN DIEGO POLICE DEPARTMENT

Firearms Unit Laboratory Request Form



If emailed, must be sent as attachment to: labrequests@pd.sandiego.gov

Victim(s):	BUTERA, Richard #5876				Case Priority:	
Suspect(s):	CARGNONI, Giacomo				Lead	<input type="checkbox"/> Issuing <input type="checkbox"/>
Incident #	1306000053	Case #:	13-021595	Charge(s):	245 P.C.	Prelim. <input type="checkbox"/> Date:
Date of Occurrence:	June 1, 2013	Today's Date:	June 10, 2013		Trial	<input type="checkbox"/> Date:
Detective (Name & ID):	Leahy #5869		Unit:	Homicide / 1652D		
Phone#:			M.S.#	713		
Email:			DDA:			
PT/Barcode(s) to Examine: 10233622 & 10233630				Phone:		

(Please attach a copy of the Property Tag and any other information necessary for processing the evidence)

ITEMS ANALYZED AND METHODS USED ARE AT THE DISCRETION OF THE LABORATORY

TYPE OF EVIDENCE TO BE EXAMINED:

GUNS—specify type, make & model, and caliber

Type*	Make/Model	Caliber	Item #
Semi Auto	Desert Eagle / IWI	9MM	10
Pistol			
_____	_____	_____	_____
_____	_____	_____	_____

Type of Gun*
Semi-auto pistol
Revolver
Rifle
Shotgun
Other (describe)

CARTRIDGE CASES (fired) – specify quantity and caliber

Caliber if known _____

of cartridges _____

Item # _____

BULLETS (fired) – specify quantity and caliber

Caliber if known _____

of bullets _____

Item # _____

Other evidence: Folding pocket knife

Service Requested: (Bullet/cartridge case comparison, weapon exam, weapon list, serial number, etc.)

Compare to any outstanding cases and determine ownership.

Note: IBIS entry will be done on all assigned firearms cases that have a semi-automatic weapon or a fired cartridge case as evidence. IBIS entry will not be done on revolvers or single shot firearms.

Sgt Name:

Phone Number:



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
FIREARMS UNIT LABORATORY REPORT**



VICTIM: SDPD Officer Richard BUTERA, ID #5876
SUSPECT: CARGNONI, Giacomo (Deceased)
CHARGE: O.I.S. Special Investigation / 245(a)(2) PC
CASE #: 13-021594
INCIDENT #: 13060000530
HOMICIDE TEAM 5: Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT: June 1, 2013 (Saturday)
SCENE LOCATION: 100 Sea World Drive
CRIME SCENE SPECIALIST: Jennifer C. Sanders
CRIMINALIST: Eugene LaChimia

EVIDENCE EXAMINED:

One Benelli, model M4, semiautomatic 12 gauge shotgun, serial # [REDACTED] and one black bandoleer containing [REDACTED] "Federal Premium Tactical" rifled slug shotshells and [REDACTED] "Federal Premium Tactical" 00 Buck shotshells, all from Officer Butera

RESULTS AND CONCLUSIONS:

The Benelli shotgun was received with the hammer cocked, the bolt closed, the manual safety on, a shotshell in the chamber and four shotshells in the tubular magazine. The shotshells in the magazine and chamber, "Federal Premium Tactical" 00 Buck, were consistent with Department ammunition. [REDACTED]

[REDACTED] This evidence indicated that two shotshells had been fired from the shotgun. The shotgun was testfired and found to operate normally. Details of all examinations are on file in the laboratory.

DISPOSITION OF EVIDENCE:

The shotgun and bandoleer were released to Crime Scene Specialist Sanders. The Firearms Processing Packet for the shotgun was entered into the evidence barcode system (Barcode 10233661) and taken to the Property Room.



Eugene J. LaChimia, ID# 8757

Criminalist

June 4, 2013

Technical Review: [REDACTED] Date: 05 June 13

Administrative Review: [REDACTED] Date: 6-6-13





**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
CRIME SCENE RECONSTRUCTION REPORT**



VICTIM:	SDPD Officer Richard BUTERA, ID #5876
SUSPECT:	CARGNONI, Giacomo (Deceased)
CHARGE:	O.I.S. Special Investigation / 245(a)(2) PC
CASE #:	13-021594
INCIDENT #:	13060000530
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

See the Firearms Lab Report by Criminalist LaChimia dated June 4, 2013.

BACKGROUND

On June 1, 2013, at approximately 0940 hours, I was contacted by Sergeant Manny Del Toro and informed of an officer-involved shooting in the area of Sea World Drive and West Mission Bay Drive. I arrived at the scene, 100 Sea World Drive, at approximately 1050 hours.

The following is a synopsis of the briefing information provided by SDPD Sergeant Tagaban:

A call came into SDPD that the suspect in this case had threatened another man with a gun at an address on Sunset Cliffs Boulevard. The suspect left this area in a silver-gray Volkswagen, [REDACTED] and was pulled over by SDPD at 100 Sea World Drive. The suspect exited the vehicle and began rummaging through the passenger's side of the vehicle, the trunk and again the passenger's side of the vehicle. Officers were shouting commands to the suspect during this time. The suspect then brought up and pointed his hands with what appeared to be a weapon. Officer Butera then fired at the suspect from the other side of the median on Sea World Drive. The suspect went down, rolled and got up again. He again simulated holding a weapon as officers continued shouting commands. Officer Butera fired again, and the suspect went down. His head was to the south and feet to the north. He was transported to the hospital and died. A witness had video recorded this incident on his cell phone.

The following information was provided by Officer Butera during his walk-through:

Officer Butera approached the scene in his patrol vehicle from the north. He was positioned and fired to the east at the suspect with his shotgun from the west side of the median wall on Sea World Drive. The suspect was standing just outside of the passenger's side rear door of the vehicle when Butera first fired. He fired through the windows of the rear doors. The officer then moved to the south and again fired at the suspect who was then located slightly to the east and south. The stated locations of the officer and suspect when the shots were fired were noted for each shot. See Figures 1 and 2.

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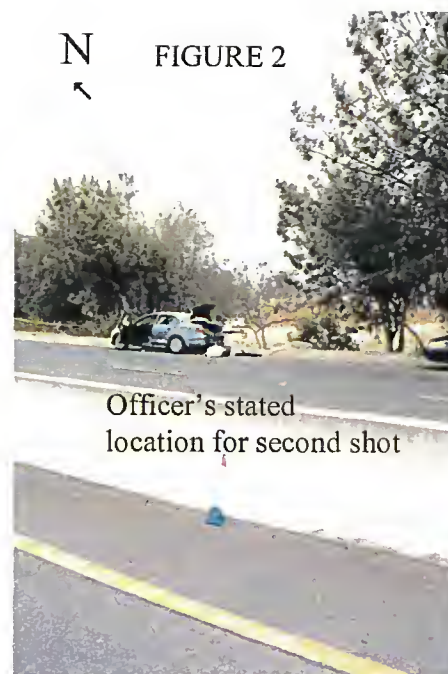
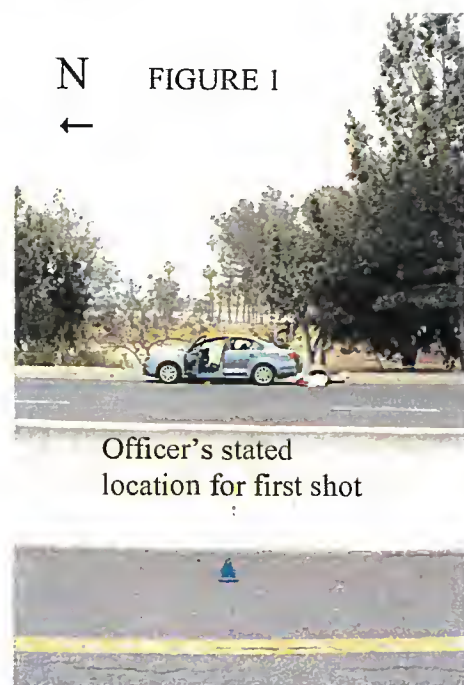
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CRIME SCENE REPORT

Case # 13-021594

Page 2 of 4



SCENE DESCRIPTION See Figure 3

This incident took place on a divided four lane road which runs north-south. The suspect's vehicle was parked next to the curb on the east side of the northbound lanes. Officer Butera's patrol vehicle was parked in the southbound lanes, north of the suspect's vehicle.

OBSERVATIONS

Two shotshell cases (00 Buck) were located just east of the center wall at 100 Sea World Drive. The suspect's vehicle, a gray Volkswagen Jetta 2.5, California license [REDACTED], was parked across the road from the shotshell cases, on the east side of the northbound lanes. A scope cover was located in the southbound lanes just south of Officer Butera's patrol vehicle.

The driver's door, both passenger's side doors, and the trunk of the suspect's vehicle were open. Clothing and other debris were located on the ground at the rear of the vehicle. The driver's side rear door was closed. The glass from the main window of the driver's side rear door was broken out of the frame, but the quarter window of this door was intact. Glass fragments were present both inside and outside the vehicle in this area. A shotshell wad was located on the rear driver's side floorboard. A blue button down shirt hanging on a hanger next to the driver's side rear door window was perforated with multiple apparent missile holes. The window of the passenger's side rear door was mostly down and intact. The quarter window of the passenger side's rear door was shattered, and some of the glass was broken out. An apparent missile strike was located on the edge of the passenger's side rear door interior frame next to the quarter window. Also, an apparent deformed lead pellet was located on the bottom edge of the frame of this quarter window.

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CRIME SCENE REPORT

Case # 13-021594

Page 3 of 4

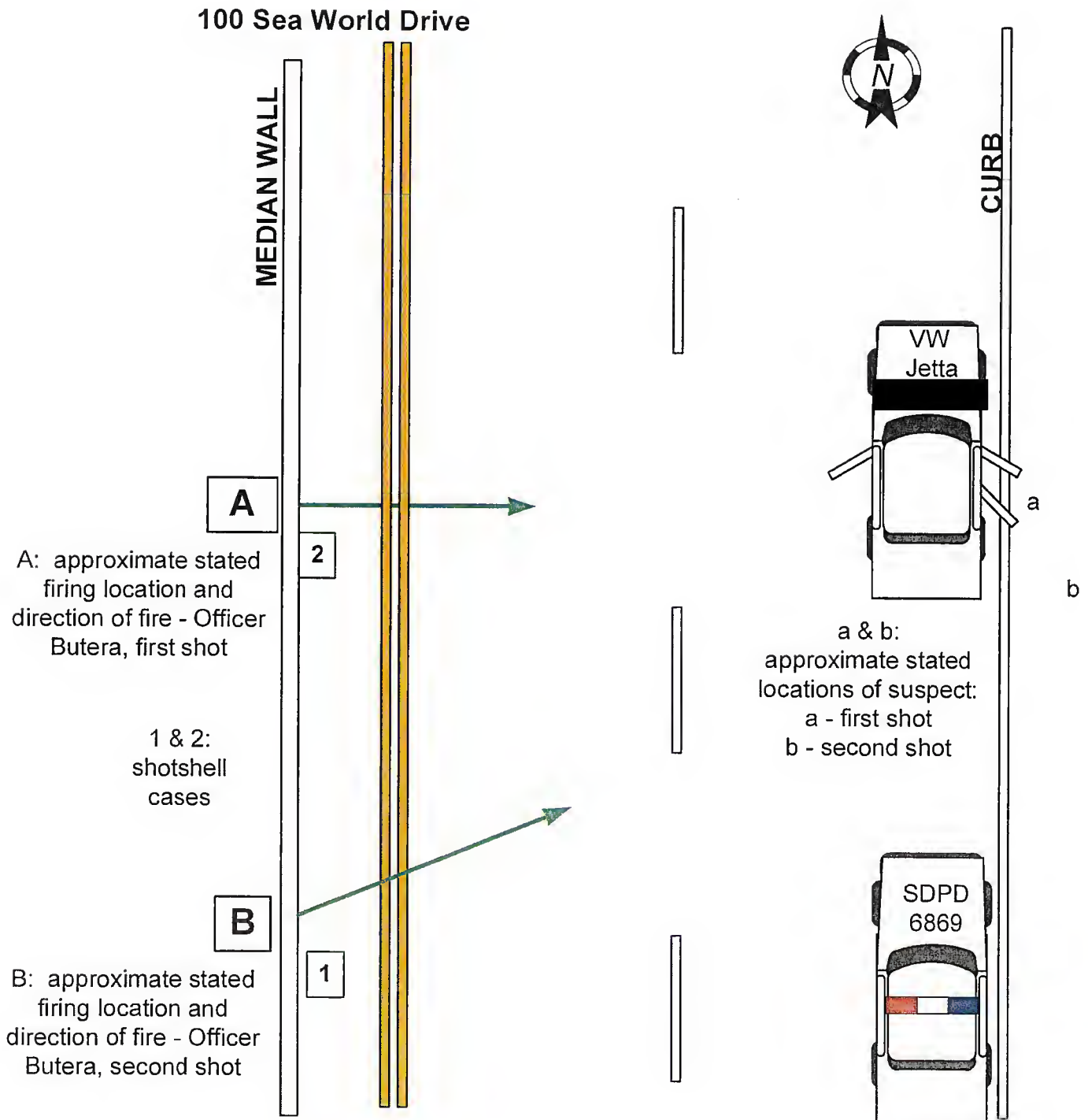


FIGURE 3 (not to scale)

CRIME SCENE REPORT

Case # 13-021594

Page 4 of 4

A black semiautomatic handgun was later found in the trunk of the suspect's vehicle.

Apparent bloodstains with downward direction were located on the ground just east of the rear of the suspect's vehicle. A knife was located to the east of these apparent bloodstains. The approximate location of the suspect when the second shot was fired, according to Officer Butera, was in close proximity to the knife. Apparent transfer bloodstains and a larger apparent blood pool were located to the east and slightly south of the knife.

Examination of Officer Butera's shotgun, a Benelli model M4 with a scope, revealed that Butera fired two shots. For further details, see the Firearms Lab Report, dated June 4, 2013.

AUTOPSY INFORMATION

The following information was obtained from Crime Scene Specialist Sanders, Sergeant Del Toro and from review of the autopsy photographs. The autopsy was performed by Doctor Morhaim on June 2, 2013. The suspect sustained seven penetrating gunshot wounds and four perforating gunshot wounds which exited the back. The shotgun pellets from the penetrating wounds were collected from the chest (3), back (3) and right arm (1). The spread of the gunshot wounds to the upper chest was approximately seven inches wide and eight inches in length. Pellets had struck the heart and lungs. See the report by Doctor Morhaim for further details.

CONCLUSIONS

Based on the evidence from the scene, viewing of the cell phone video, the examination of the officer's shotgun and the autopsy information, the following conclusions can be made:

The evidence indicates that Officer Butera fired his shotgun twice from the vicinity of the median wall in a general easterly direction at the suspect. The pellets from one shot perforated the driver's side rear door window and the blue shirt hanging near the window. The pellets then traveled to the passenger's side rear door and struck the quarter window and the door frame around the quarter window. A number of pellets from this shot likely traveled through the open main window of this door and struck the suspect. The other shot from Officer Butera came from the vicinity of the median wall at a location south of where he fired into the vehicle. It appears that pellets from this shot also impacted the suspect.

The evidence from the scene and Officer Butera's shotgun are consistent with his stated firing locations.


Eugene J. LaChimie, ID# 8757

Criminalist

June 12, 2013

Technical Review: JP Date: 6-12-13

Administrative Review: fx Date: 6-17-13

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**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



CRIME SCENE UNIT LABORATORY REPORT

VICTIM:	BUTERA, SDPD Officer Richard
SUSPECT:	CARGNONI, Giacomo
CHARGE:	Special Investigation (OIS)/245(a)(2) PC
INCIDENT #:	13060000530
CASE #:	13-021594/13-021595
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

CRIME SCENE UNIT REPORT 1

Scene

I arrived at the scene located at 100 Sea World Drive on June 1, 2013, at approximately 1030 hours. I met Detective Leahy (case agent), ID #5869, the members of Homicide Team 5, Criminalist Eugene LaChimia, ID #8757, and Supervising Crime Scene Specialist Joe Berner, ID #8791, at this location. I took digital images #1 through #297, starting at approximately 1152 hours. I collected items of evidence starting at approximately 1345 hours.

Photography

- #1: View of the "Sunset Cliffs Blvd Bridge" sign.
- #2 - #27: Views of 100 Sea World Drive, facing north.
- #28 - #51: Views of 100 Sea World Drive, facing south.
- #52 - #78: Views of 100 Sea World Drive, facing north.
- #79 - #112: Views of 100 Sea World Drive, facing south.
- #113 - #120: Views of the Toyota Camry with California license plate number [REDACTED] parked on the east side of the northbound lanes, south of the crime scene.
- #121 - #137: Views of 100 Sea World Drive, facing west.

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CRIME SCENE UNIT
Crime Scene Unit Report 1
Incident #13060000530
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June 10, 2013
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- #138 - #157: Views of 100 Sea World Drive, facing east.
- #158 - #165: Views of the patrol vehicles parked in the northbound lanes.
- #166: View of the suspect's vehicle in relation to the patrol vehicles.
- #167 - #168: Views of patrol vehicle 6893⁶.
- #169 - #170: Views of patrol vehicle 6874⁶.
- #171 - #178: Views of patrol vehicle 6893⁶ in relation to the scene.
- #179 - #184: Views of the interior of patrol vehicle 6893⁶ and the shotgun locked in the rack.
- #185 - #202: Views of the exterior of the suspect's vehicle (Volkswagon Jetta with California license plate number [REDACTED], the contents of the trunk and the surrounding scene.

Photographs #203 through #230 were taken of the suspect's vehicle.

- #203 - #204: Views of the broken rear driver-side window.
- #205 - #209: Views of the interior of the vehicle.
- #210: View of the open passenger-side doors.
- #211 - #218: Views of the interior of the vehicle.
- #219 - #225: Views of the broken rear passenger-side wing window.
- #226 - #230: Views of the broken rear driver-side window and the shirt hanging inside.
- #231 - #236: Views of the exterior of patrol vehicle 6893⁶ and the trunk contents.
- #237 - #241: Views of the approximate locations of Officer Butera (pink flags) and the suspect (orange flags).
- #242 - #248: Views of the line of sight from Officer Butera's approximated locations.
- #249 - #253: Views of the line of sight from the suspect's approximated locations.

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- #254 - #262: Location views of the evidence items identified by placards 1 through 9.
- #263: View of the shot shell case (placard 1).
- #264: View of the shot shell case (placard 2).
- #265: View of the knife (placard 3).
- #266: View of the apparent blood (placard 4), from which a sample was collected.
- #267 - #268: Views of the sunglasses (placard 5).
- #269: View of the pill (placard 6).
- #270: View of the pill (placard 7).
- #271: View of the shot pellet (placard 8).
- #272: View of the lens cover (placard 9).
- #273 - #288: Views of the officer's shotgun and bandoleer, after they were removed from the patrol vehicle.
- #289 - #290: Location views of the evidence items identified by placards 10 and 11.
- #291 - #295: Views of the handgun (placard 10).
- #296: View of the shirt (placard 11).
- #297: View of the street after the suspect's vehicle was towed away.

Evidence

Placards 1 and 2 were collected from the street along the center median of the northbound lanes.

- 10233620:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 1) with headstamp "12 GA MADE IN USA."
- 10233621:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 2) with headstamp "12 GA MADE IN USA."

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CRIME SCENE UNIT
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Placards 3 through 5 were collected from the dirt embankment on the east side of the northbound lanes, east of the suspect's vehicle.

10233622: One "OSBORNE" black handled folding knife (placard 3). The knife was open when collected.

10233623: One swab of apparent blood (placard 4).

10233625: One pair of black and silver, dirty sunglasses (placard 5).

Placards 6 and 7 were collected from the street, underneath the driver door of the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233626: One white round pill (placard 6) inscribed with a scripted "R" and "35."

10233627: One white round pill (placard 7) inscribed with a scripted "R" and "35."

10233628: One shot pellet (placard 8). This item was collected from the ledge of the rear passenger-side window of the suspect's vehicle.

10233629: One black "AIMPOINT" lens cover (placard 9). This item was collected from the street in the southbound lanes, south of patrol vehicle 6893⁶.

Placards 10 and 11 were collected from inside the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233630: One "IWI DESERT EAGLE PISTOL 9mm" handgun (placard 10) with serial number [REDACTED] This item was collected from inside the trunk, after a search was conducted.

10233631: One size "16 32-33 R" blue "theory" long sleeved, button up dress shirt (placard 11) with numerous holes. This item was collected from the hanger, hanging inside the rear driver-side window.

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CRIME SCENE UNIT
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Officer Involved Weapon

While at the scene, I collected the following item of evidence from the locked rack inside patrol vehicle 6893⁶.

One "BENELLI 12 GA" shotgun with serial number [REDACTED] and one bandoleer containing [REDACTED]

Officer Processing

I arrived at the San Diego Police Department Crime Scene Unit Studio on June 1, 2013, at approximately 1520 hours to process Officer Richard Butera, ID #5876. Detective Chris Leahy, ID #5869, and Officer Marciniak, ID #5179, were present during processing. I took digital photographs #298 through #310, starting at approximately 1522 hours. No evidence was collected.

Photography

#298 - #310: Views of the front, left, back and right sides of the officer.

Autopsy

I arrived at the San Diego County Medical Examiner's Office on June 2, 2013, at approximately 0910 hours to attend the autopsy of suspect Giacomo Cargnoni (ME #13-1284). Detective Chris Leahy, ID #5869, and Detective Gary Gonzales, ID #5328, met me at this location. I took digital photographs #311 through #501, starting at approximately 0938 hours. I collected and/or received items of evidence starting at approximately 0956 hours.

Photography

#311: View of the red lock and nametag on the suspect's body bag.

#312 - #313: Views of the suspect's body bag.

#314 - #316: Views of the suspect before the head, hand and foot bags were removed.

#317 - #319: Views of the suspect before the medical paraphernalia was removed.

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Photographs #320 through #386 were taken of the suspect in an unclothed and unwashed condition.

#320 - #323: Views of the suspect's hands.

#324 - #337: Views of the left, right and front sides of the suspect.

#338 - #343: Views of the apparent wounds on the suspect's left leg.

#344 - #347: Views of the apparent wounds on the suspect's left arm.

#348 - #359: Views of the apparent wounds on the suspect's torso.

#360 - #367: Views of the apparent wounds on the suspect's face.

#368 - #370: Views of the bump on the suspect's right arm (apparent shot pellet under the skin).

#371 - #374: Views of the apparent wounds on the suspect's right leg.

#375 - #377: Views of the apparent wounds on the suspect's right arm.

#378 - #382: Views of the back side of the suspect.

#383 - #386: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.

Photographs #387 through #485 were taken of the suspect in an unclothed and washed condition.

#387 - #401: Views of the left, right and front sides of the suspect.

#402 - #405: Views of the suspect's hands.

#406 - #412: Views of the apparent wounds on the suspect's right leg.

#413 - #420: Views of the apparent wounds on the suspect's right hand and arm.

#421 - #424: Views of the apparent wounds on suspect's right hip and side.

#425 - #435: Views of the apparent wounds on the suspect's torso.

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CRIME SCENE UNIT
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- #436 - #437: Views of the apparent wounds on the suspect's right shoulder.
- #438 - #450: Views of the apparent wounds on the suspect's neck and face.
- #451 - #460: Views of the apparent wounds on the suspect's left shoulder and arm.
- #461 - #462: Views of the apparent wounds on the suspect's left side.
- #463 - #471: Views of the apparent wounds on the suspect's left leg.
- #472 - #475: Views of the back side of the suspect.
- #476 - #485: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.
- #486 - #494: Views of the shot pellets removed from the suspect's back.
- #495 - #497: Views of the shot pellet removed from the suspect's right arm.
- #498 - #500: Views of the shot pellet removed from the suspect's anterior epicardial.
- #501: View of the shot pellet removed from the suspect's posterior aorta.

Evidence

- 10233632:** One paper bag from the suspect's head.
- 10233634:** One paper bag from the suspect's right hand.
- 10233635:** One paper bag from the suspect's left hand.
- 10233636:** One paper bag from the suspect's right foot.
- 10233637:** One paper bag from the suspect's left foot.
- 10233638:** One pair of size "L" black and yellow "Nike Therma-Fit" dirty athletic pants with medical intervention cuts.
- 10233639:** One pair of size "M" white and gray "EXPRESS" boxer briefs with apparent bloodstains and medical intervention cuts.

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I received the following seven items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233640:* One manila envelope labeled "anterior epicardial," containing one shot pellet.
- 10233641:* One manila envelope labeled "posterior aorta," containing one shot pellet.
- 10233642:* One manila envelope labeled "L back, lower," containing one shot pellet.
- 10233644:* One manila envelope labeled "R back, mid," containing one shot pellet.
- 10233646:* One manila envelope labeled "L back, upper," containing one shot pellet.
- 10233647:* One manila envelope labeled "spinal cord," containing one shot pellet.
- 10233648:* One manila envelope labeled "R arm," containing one shot pellet.
- 10233649:* Reference mouth swabs.
- 10233653:* Fingernail scrapings from the right hand.
- 10233654:* Fingernail scrapings from the left hand.
- 10233655:* Plucked head hair.

I received the following three items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233656:* One rib bone sample.
- 10233658:* One vial of blood.
- 10233660:* One set of inked finger and palm prints.
- 10233662:* One "Reference Bloodstain Card" from the suspect's blood (10233658), prepared in the Crime Scene Unit on June 2, 2013.

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CRIME SCENE UNIT
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Vehicle Processing

I arrived at the San Diego Police Department Aero Drive Impound Garage on June 3, 2013, at approximately 0830 hours to process the gray Volkswagon Jetta with California license plate number [REDACTED]. Detective Chris Leahy, ID #5869, met me at this location. I took digital photographs #502 through #557, starting at approximately 0841 hours. I collected items of evidence starting at approximately 0900 hours. All items of evidence were collected after a search was conducted.

Photography

- #502 - #506: Views of the exterior of the vehicle before the paper was removed from the broken windows.
- #507 - #514: Views of the exterior of the vehicle after the paper was removed from the broken windows.
- #515 - #531: Views of the interior of the vehicle and the trunk contents.
- #532 - #534: Location views of the evidence items identified by placards 12 and 13.
- #535: View of the pills (placard 12).
- #536: View of the prescription bottle (placard 13) containing miscellaneous pills.
- #537: Location view of the evidence item identified by placard 14.
- #538: View of the prescription bottle (placard 14) containing apparent marijuana.
- #539 - #540: Views of the suspect's wallet and Driver License.
- #541 - #543: Location views of evidence items identified by placards 15 through 18.
- #544 - #545: Views of the iPad and contents of the bag (placard 15).
- #546 - #549: Views of the holster (placard 16) [including a miscellaneous image]
- #550: View of the shotgun wad (placard 17).
- #551 - #552: Views of the box containing apparent marijuana (placard 18).

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CRIME SCENE UNIT
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Incident #13060000530
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- #553 - #556: Views of the apparent strike mark labeled "A."
- #557: View of the Vehicle Identification Number (VIN).

Evidence

- 10233666:** Six loose white round pills (placard 12) inscribed with a scripted "R" and "35." This item was collected from the driver seat.
- 10233668:** One open (no lid) prescription bottle (placard 13) containing twenty-eight oblong white capsules stamped with a scripted "R" "077" and one white round pill inscribed with a scripted "R" and "35." This item was collected from the front passenger-side seat.
- 10233673:** One green prescription bottle (part of placard 14) containing apparent marijuana. The label is hand printed with "5g Green Crack." This item was collected from the center console.
- 10233674:** Several loose, apparent marijuana leaves (part of placard 14). This item was collected from the center console.
- 10233676:** One green "TUMI" case containing an "iPad" (part of placard 15). This item was collected from the front passenger-side seat.
- 10233679:** This item (part of placard 15) consists of the following:
- One baggie of apparent marijuana
 - One black drawstring bag containing one glass pipe
- This item was collected from inside the bag on the front passenger-side seat.
- 10233681:** Two bottles of liquid "Lidocaine 1%" (part of placard 15). This item was collected from inside the bag on the front passenger-side seat.
- 10233684:** One black "Pro Tech Outdoors" holster (placard 16). This item was collected from the rear pocket of the front passenger seat.
- 10233686:** One plastic shotgun wad (placard 17). This item was collected from the rear driver-side floorboard.
- 10233687:** One "Red Hook" box (placard 18) containing loose apparent marijuana. This item was collected from the trunk.

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CRIME SCENE UNIT
Crime Scene Unit Report 1
Incident #13060000530
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June 10, 2013
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Discs

- 10233688: One "Master" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233689: One "Working Copy" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233690: One "Master" DVD containing digital images #311 through #557 (autopsy and vehicle processing).
- 10233691: One "Working Copy" DVD containing digital images #311 through #557 (autopsy and vehicle processing).

DISPOSITION OF EVIDENCE

Each item of evidence was assigned a unique barcode and will be impounded under *Incident #13060000530*. Items will be impounded in the *Headquarters Property Room*, with the following exceptions:

The "Master" and "Working Copy" discs will be impounded in the *Laboratory* files. Additional copies of the "Working Copy" discs were released to Detective Leahy, Homicide Unit.

Officer Butera's shotgun and bandoleer were released to Sergeant Manny Del Toro, Homicide Unit



Jennifer C. Sanders, ID #8393
Crime Scene Specialist
June 10, 2013

jcs

Technical Review: Kmw #8245 Date: 06.10.2013

Administrative Review: 225 2791 Date: 6.10.2013





SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION-FIREARMS UNIT



UNLOADED FIREARMS REPORT

Barcode #: 10233630 Case #: 13-021594 Inc.# 13060000530
Charge: O.I.S. Special Investigation Investigative Unit: Hom. Tm5 Det. Leahy
Analyst: EJL 8757 Date: June 11, 2013
Evidence Reception: CSU gun locker on June 10, 2013

WEAPON SUBMITTED

X Pistol (auto loading) ☐ Shotgun
☐ Revolver ☐ Other: _____
☐ Rifle

Make: IWI Model: Desert Eagle
Serial Number: [REDACTED] Caliber: 9mm

CONDITION OF RECEIVED WEAPON

HAMMER:	X Uncocked	<input type="checkbox"/> Cocked
STRIKER:NA	<input type="checkbox"/> Uncocked	<input type="checkbox"/> Cocked
CHAMBER:	X Loaded	<input type="checkbox"/> Empty
CYLINDER:NA	<input type="checkbox"/> Open	<input type="checkbox"/> Close
SAFETY:	X "On" Position	<input type="checkbox"/> "Off" Position
SLIDE:	<input type="checkbox"/> Closed (In Battery)	X Open (Slightly Out of Battery)
MAGAZINE:	X Seated (In Place)	<input type="checkbox"/> Unseated (Out of Place)

Chamber/cylinder Contents: One brass "WIN 9mm LUGER" cartridge
Magazine Contents: Eight brass "WIN 9mm LUGER" cartridges

ADDITIONAL COMMENTS The pistol was received with the safety on, the hammer down and the slide slightly back. There was one cartridge in the chamber and eight cartridges in the inserted magazine. The pistol was unloaded but not further manipulated.

A Firearms Processing Packet containing the chamber and magazine contents was created and given barcode 10236178.

EVIDENCE DISPOSITION The pistol and magazine were released to Crime Scene Specialist Jennifer Sanders on June 10, 2013. The Firearms Processing Packet, barcode 10236178, was released to the Property Room on June 11, 2013.

Analyst: Eugene J. LaChimia ID #: 8757

Title: Criminalist Date: June 11, 2013

Tech review: [REDACTED] 8512 12 June 13

Admin review: [REDACTED] 6-12-13



DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER

Phone:(800) 788-7133 Fax:(800) 578-7223

Print Date: June 25, 2013



FIREARMS TRACE SUMMARY

Trace Number: [REDACTED] Request Date: June 12, 2013 Completion Date: June 19, 2013

JENNIFER SANDERS
SAN DIEGO P.D GUN DESK
1401 BROADWAY
SAN DIEGO, CA 92101
PHONE: [REDACTED] Ext:

FIREARM INFORMATION

Manufacturer: ISRAEL WEAPON IND- IWI
(ISR...

Model: DESERT EAGLE

Caliber: 9

Serial Number: [REDACTED]

Type: PISTOL

Country: ISRAEL

Importer: MAGNUM RESEARCH INC
(MRI), ...

Obliterated:

Identifying Marks:

NIBIN:

Gang Name:

Badge No:

Investigation No: 13060000530

RECOVERY INFORMATION

Recovery Date: 06/01/2013

Time to Crime: 1675 days

PURCHASER INFORMATION

Purchase Date: 10/30/2008

100 SEA WORLD DR
SAN DIEGO, CA 92109-0000
Possessor: GIACOMO CARGNONI
DOB:
POB:

DOB: [REDACTED]

POB: [REDACTED]

Race: [REDACTED]

Sex: [REDACTED]

Height: ft in

Weight: lbs

ID 1: UT DRIVER'S LICENSE: [REDACTED]

ID 2: :

Contact the local ATF office for additional information.

DEALER INFORMATION

FFL: [REDACTED]

Phone: [REDACTED]

Ext: [REDACTED]

Ship-To-Date:

ADMINISTRATIVE INFORMATION

F/A REPORTED STOLEN: N

Data Scrubbing Codes:

CA-DOJ

SUMMARY OF RESULTS

THIS FIREARM WAS TRACED TO A PURCHASER AND IS PART OF A MULTIPLE HANDGUN SALE REPORTED TO ATF BY A FEDERAL FIREARMS LICENSEE (FFL). THE TRANSACTION DATE NOTED IN THE SUMMARY IS THE DATE THE MULTIPLE SALE WAS GENERATED BY THE FFL AND MAY NOT REPRESENT THE ACTUAL TRANSACTION DATE OF THE FIREARM PURCHASE. TO VERIFY THE ACTUAL TRANSACTION DATE FOR THE FIREARM, PLEASE CONTACT THE FFL OR CONTACT ATF NATIONAL TRACING CENTER, FIREARMS TRACING BRANCH AT 1-800-788-7133.

The information in this report must be validated prior to use in any criminal proceedings.

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Additional Remarks:

Controlled
Unclassified Information

The information in this report must be validated prior to use in any criminal proceedings.

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SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
CRIME SCENE UNIT LABORATORY REPORT



VICTIM:
SUSPECT:
CHARGE:
INCIDENT #:
CASE #:
HOMICIDE TEAM 5:
DATE OF INCIDENT:
SCENE LOCATION:
CRIME SCENE SPECIALIST:
CRIMINALIST:

BUTERA, SDPD Officer Richard
CARGNONI, Giacomo
Special Investigation (OIS)/245(a)(2) PC
13060000530
13-021594/13-021595
Sergeant M. Del Toro/Detective C. Leahy
June 1, 2013 (Saturday)
100 Sea World Drive
Jennifer C. Sanders
Eugene LaChimia

CRIME SCENE UNIT REPORT 2

Evidence Processing

I received the evidence items listed below from the Headquarters Property Room on June 17, 2013. I processed these items on June 17, 2013, starting at approximately 1036 hours.

10233622: One "OSBORNE" black handled folding knife.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

Results:
10238967: One lift of developed prints was collected.
10238968: One swab of possible DNA evidence was collected from the blade of the knife, after fingerprint processing.
10238970: One swab of possible DNA evidence was collected from the handle of the knife, after fingerprint processing.

10233630: One "DESERT EAGLE 9mm" handgun with serial number [REDACTED] and one magazine.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

CRIME SCENE UNIT
Crime Scene Unit Report 2
Incident #13060000530
Case #13-021594
June 18, 2013
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Results: No latent prints developed.
10238971: One swab of possible DNA evidence was collected from the textured areas of the handgun.
10238972: One swab of possible DNA evidence was collected from the entire surface of the handgun, after fingerprint processing.
10238973: One swab of possible DNA evidence was collected from the entire surface of the magazine, after fingerprint processing.

Latent Print Summary

10238967: One latent print card containing one lift of developed prints.

Discs


10238979: One "Master" DVD containing ten digital (note page) images.

10238980: One "Working Copy" DVD containing ten digital (note page) images.

DISPOSITION OF EVIDENCE

The processed evidence items and the resulting items, which were each assigned a unique barcode number, were impounded under **Incident #13060000530**. Items were impounded in the **Headquarters Property Room**, with the following exceptions:

The "Master" and "Working Copy" discs were impounded in the **Laboratory** files.


Jennifer C. Sanders
Crime Scene Specialist
June 18, 2013

jcs

Technical Review: KMW #8245 Date: 06.18.2013

Administrative Review: Q23 8791 Date: 6.19.2013

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**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



FORENSIC BIOLOGY UNIT LABORATORY REPORT

VICTIM: BUTERA, Richard, ID #5876
SUSPECT: CARGNONI, Giacomo
CHARGE: 245 PC
CASE #: 13-021594
INCIDENT#: 13060000530
HOMICIDE: Detective C. Leahy, ID #5869
CRIMINALIST: David Cornacchia
DATE OF REPORT: September 3, 2013

EVIDENCE EXAMINED

Barcode #

10238968 One (1) swab from the blade of the knife (10233622).
This swab was consumed for DNA analysis.

10238970 One (1) swab from the handle of the knife (10233622).
This swab was consumed for DNA analysis.

10238971 One (1) swab from the textured areas of the handgun (10233630).
This swab was consumed for DNA analysis.

10238972 One (1) swab from the entire surface of the handgun (10233630).
This swab was consumed for DNA analysis.

10238973 One (1) swab from the entire surface of the magazine (10233630).
This swab was consumed for DNA analysis.

10233649 Two (2) reference mouth swabs obtained from Giacomo Cargnoni.
A portion of one swab was extracted for DNA analysis.

SUMMARY OF ANALYTICAL PROCEDURES

1. Qiagen BioRobot EZ1 magnetic bead based DNA purification.
2. Quantitative PCR using Applied Biosystems' Quantifiler Duo kit.
3. PCR DNA amplification using Applied Biosystems' Identifiler Plus kit.
4. Capillary electrophoresis and analysis of amplified DNA using the ABI 3130 Genetic Analyzer.

RESULTS

See attached Table 1 for DNA typing results.

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FORENSIC BIOLOGY UNIT

Case #13-021594

September 3, 2013

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CONCLUSIONS

1. Mixtures of DNA from three or more individuals were obtained from the swab of the handle of the knife (10238970), and both of the swabs from the handgun (10238971 and 10238972). The predominant DNA profile in these mixtures matches the DNA obtained from Giacomo Cargnoni. The approximate probabilities of selecting an individual, at random, that matches this DNA profile are expressed in the following table:

Population Group	Probability
Caucasian	1 in 8.7 quintillion
African American	1 in 250 quintillion
Hispanic	1 in 16 quintillion

Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in the databases of the Combined DNA Index System (CODIS).

DNA profile frequency calculations were generated using population data taken from the Journal of Forensic Sciences 1999, 44(6), 1277-1286. The data for the D2S1338 and D19S433 loci was taken from Forensic Science Communications 2001, 3(3).

2. A mixture of DNA from three or more individuals was obtained from the swab of the knife blade (10238968). Giacomo Cargnoni is included as a possible major contributor to this mixture. Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in CODIS.
3. A low level mixture of DNA from two or more individuals was obtained from the swab of the magazine (10238973). Due to the number of possible low level contributors to this mixture, the results are unsuitable for comparisons or for searching in CODIS.

DISPOSITION OF EVIDENCE

All items were returned to the Property Room. Remaining extracted DNA was impounded on Barcode #10264331.

David Cornacchia ID# 8815

Criminalist

September 3, 2013

Technical Review CK Date 9/5/13

Administrative Review FO Date 9/6/13

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FORENSIC BIOLOGY UNIT

Case #13-021594

September 3, 2013

Page 3 of 3

Table 1 - DNA Typing Results

Description	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	Amel	D5S818	FGA
10238968 Swab from the blade of the knife	10, 13, 14	29, 30, 30.2, 32.2 [31.2]*	8, 10	10, 12, 13*	15, 16, 18	7, 8 [6]	11, 12	11 [13]	16*, 17, 18, 23*	13, 14	15, 16*, 19 18*, 19	8*, 11, 12	12*, 14 [18]*	X, Y	11, 12, 13	19, 21*, 23
10238970 Swab from the handle of the knife	10, 14 [12]*, [13]*, [16]*	29, 30*, 32.2	10	10*, 11*, 12	15*, 16, 18 [17]*, [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18*	13, 14 [15]*	15, 16*, 19	8*, 11*, 12*	14	X, Y	11, 13	19*, 23*
10238971 Swab of textured area of handgun	10, 14 [12]*, [13]*, [15]*	29, 32.2	10	10, 12	16, 17*, 18 [15]*	7, 8 [9.3]*	11, 12 [8]*, [10]*, [13]*	11 [9]*	17, 18*	13, 14 [12]*	14*, 15, 19	8*, 11, 12*	14	X, Y	9*, 11, 12*, 13	19*, 23*
10238972 Swab from entire surface of the handgun	10, 14 [12]*, [13]*, [16]*	29, 32.2 [30]*, [33.2]*	10 [12]*	10, 12 [11]*	16, 18 [14]*, [15], [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18 [23]*	13, 14 [15]*	15, 19 [16]*, [17]*	11, 12 [8]*	14	X, Y	11, 13 [12]*	19, 23 [21]*, [24]*
10238973 Swab from entire surface of magazine	10, 13*, 14	29*, 31*, 32.2	10, 11*	10*, 11*, 12*	15*, 16, 17*, 18 [19]*	7, 8*, 9.3*	11, 12 [8]*	11	17*, 18*, 19*	13, 14, 15*	15*, 16*, 17*, 19*	8*, 11*, 12*	14	X, Y	11, 13*	19*, 23*, 24*
1023649 Reference sample: Giacomo Cargnoni	10, 14	29, 32.2	10	10, 12	16, 18	7, 8	11, 12	11	17, 18	13, 14	15, 19	11, 12	14	X, Y	11, 13	19, 23

[] = allele likely from a minor contributor

* = allele that was detected in the stochastic range



San Diego Police Department
Forensic Science Section



Page _____

INTERNAL CHAIN OF CUSTODY

Victim(s) officer Richard Butera

Suspect(s) Giacomo Cargoni

Property Tag # <u>13060000530</u> Case # <u>13-021594</u>	
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>LACTHIA</u> ID # <u>875</u> Items Received <u>officer shotgun + bandolier</u> Purpose <u>process</u> Date <u>6-3-13 0920</u>
Released By: (Name/ID) <u>LACTHIA</u> <u>8757</u>	Received By <u>Sanders</u> ID # <u>8393</u> Items Received <u>shotgun + bandolier</u> Purpose <u>return to officer</u> Date <u>6-4-13 @ 1040</u>
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>[REDACTED]</u> ID # <u>4754</u> Items Received <u>shotgun + bandolier</u> Purpose <u>return to officer</u> Date <u>6-4-13</u>
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____

PD482

Distribution:

Copy as needed, original to case file

gun
locker

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in
CSU

in
Homicide

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)

TIME (occurrence): 0922 Hours

LOCATION: 100 Sea World Dr.

SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

VEHICLE PROCESSING: CALIFORNIA LICENSE # [REDACTED]

On June 1, 2013, at approximately 0945 hours, I was off duty and at home when I received a telephone call from Sergeant Manny DEL TORO, ID #4754. Sergeant DEL TORO informed me our team was being assigned an officer involved shooting incident that had just occurred at 100 Sea World Drive and requested I respond to the scene.

I responded to the scene and arrived at approximately 1030 hours. I noted the sky was partially cloudy and the temperature was approximately 65 degrees. Upon arrival, I noticed numerous officers securing the scene with yellow police tape and marked patrol units (refer to crime scene report for details).

The genesis of the officer involved shooting originated as a result of a 'hot stop' (traffic stop) involving a dark gray, 2012 Volkswagen Jetta bearing California license plate # [REDACTED]. Prior to the initiation of the traffic stop, police officers from Western Division responded to a radio call of an individual brandishing a firearm outside of an apartment complex located at [REDACTED] (Beat 614). A description was broadcast to officers of the suspect and the vehicle he fled in.

Officers located a possible suspect vehicle in the area of Dusty Rhodes Park and followed the Jetta as it traveled northbound on Sunset Cliffs Boulevard. The officers initiated a traffic stop on the subject vehicle which yielded on the north side of the Sunset Cliffs Bridge, just past the location where Sunset Cliffs Boulevard becomes Sea World Drive (Beat 123).

It was during the 'hot stop' the suspect produced what Officer Richard BUTERA, ID #5876, believed to be a gun. The suspect took a shooting position with an object in his hand and pointed that object at the officer. The object was later determined to be a black handled folding knife with a silver colored blade. Officer BUTERA discharged his [REDACTED] shotgun two times at the suspect which ultimately resulted in the suspect's death.

On June 3, 2013, Scene Specialist Jennifer SANDERS and I met at the police garage to process the listed vehicle.

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Vehicle General Description:

Year: 2012
Make: Volkswagen
Model: Jetta 4 Doors
Color: Dark Gray
Transmission Type: Automatic
License Plate: [REDACTED]
Interior color: Gray
Odometer: 40,534
Fuel Gage: 1/4 full
Passenger capabilities: 4
VIN: [REDACTED]

The vehicle appeared as it had at the scene. It is a 2012 Volkswagen Jetta with four doors. There is minor damage throughout the vehicle that appeared to have occurred prior to the shooting. There are two license plates and they are affixed to the front and rear bumpers.

The driver's side (rear) passenger window is missing/shattered and the frames contained only small pieces of remaining glass.

There was significant damage to the rear passenger wing window with only small pieces of remaining glass due to shotgun pellet(s) entrance holes. This was photographed by CSS SANDERS and identified as Item-#A.

All four tires appeared to be in fair condition.

The interior of the vehicle is gray cloth. There is shattered glass throughout the interior. There are miscellaneous clothing items and personal belongings inside the vehicle such as toiletries, a black travel bag, an "Apple I-Pad" computer and vehicle registration papers.

It should be noted that a brown wicker basket was inside of the vehicle in the back seat. This wicker basket was found outside of the trunk at the crime scene but was placed inside of the trunk area due to the trunk being filled with various other items.

I used the car key to start the vehicle and noted the mileage was 40,534. The vehicle had slightly over a quarter tank of gasoline.

I recovered the following items from the vehicle:

Item-#12: Loose pills, white in color oval shaped. (*Found on driver seat*).

Item-#13: Orange prescription pill bottle containing similar sized and shaped pills. (*Found on front passenger seat*).

Item-#14: Green prescription pill bottle containing marijuana. (*Found in center console*).

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Item-#15: Apple I-Pad with green cover case // Lululemon bag containing (3) syringes and two bottles of lidocaine and a plastic baggie of marijuana and glass pipe. *(Found on front passenger seat).*

Item-#16: Nylon gun holster (Protect Outdoors). *(Found behind front passenger seat storage pouch).*

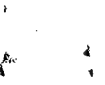
Item-#17: Shotgun wad (white plastic). *(On rear driver side floorboard).*

Item-#18: Cardboard box (12-bottle pack of Red Hook beer brand) containing Marijuana inside. *(Found in trunk)*

After examining the contents inside the vehicle I concluded the owner, Giacomo CARDNONI was most likely storing the vast majority of his belongings and clothing inside of the Volkswagen and possibly living out of the car itself.

For complete details on the condition of the vehicle refer to photographs and report by Criminalist SANDERS.





Reporting Detective Christopher LEAHY I.D. 5869 Homicide Team: V
Approved by: [REDACTED] 4754 Date of this report: 06-04-2013 Time: 1026 Hours
06/10/13



San Diego Regional Vehicle Report

Press Firmly

INC # 1306000530

Filing Department SURO		Beat Number 121		Date / Time of Report 06/01/13 1420		Notice of Stored Vehicle Delivered Personally To: <input type="checkbox"/>		Case Number			
Location Towed / Recovered from 100 SEA WORLD DRIVE				Odometer Reading		VIN Clear in SVS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No LIC Clear in SVS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Date / Time Dispatch Notified			
License Number [REDACTED]		State CA		Plate Type A		Exp. (Mo / Year) 11 / 13		Vehicle Identification Number [REDACTED]			
Year 12		Make VOLKSWAGEN		Model 3671K		Body Type 4DR		Color Combination GRAY			
Appraised Value <input type="checkbox"/> 0-300 <input type="checkbox"/> 301-4000 <input checked="" type="checkbox"/> 4000+		Owner Valuation \$									
Condition		Yes		No		Items		Yes			
Wrecked		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Seat (Front)		<input checked="" type="checkbox"/>			
Burned		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Seat (Rear)		<input checked="" type="checkbox"/>			
Vandalized		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Radio		<input checked="" type="checkbox"/>			
Eng / Trans Strip		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Tape Deck		<input checked="" type="checkbox"/>			
Misc. Parts Strip		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Tapes (#)		<input checked="" type="checkbox"/>			
Body Metal Strip		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Other Stereo		<input checked="" type="checkbox"/>			
Doors Locked		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Car Phone		<input checked="" type="checkbox"/>			
Ignition Locked		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		Ignition Key		<input checked="" type="checkbox"/>			
Location Stolen from				Vehicle Damage							
				   							
Identifying Marks, Damage, Interior (Describe Color(s). If Customized, Etc.) Continue in Narrative As Necessary BROKEN WINDOWS AS NOTED, DENTS OVER RR DOOR								Insurance Carrier			
CURRENT / REGISTERED OWNER					LEGAL OWNER						
Name (Last, First, Middle) CARGON, GIALOMO JAMES					Name (Last, First, Middle)						
Address [REDACTED] Apt / Suite #					Street Address SAME Apt / Suite #						
City [REDACTED] State Zip					City [REDACTED] State Zip						
Phone Day () Night ()					Phone Day () Night ()						
<input type="checkbox"/> STORED <input checked="" type="checkbox"/> IMPOUNDED <input type="checkbox"/> RELEASED <input type="checkbox"/> RECOVERED - VEHICLE / COMPONENT											
Towing Storage Concern (Name, Address, Phone)					Towed To / Stored At:						
Storage Authority and Reason 22655 CVC - 6/1/13 IMPOUND					Drivable <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unk VIN Appears Altered / Removed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No VIN Switched <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No VIN Matches Registration Card <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
Release Vehicle <input type="checkbox"/> R / O Agent <input type="checkbox"/> Agency Hold					Garage Principal or Agent Storing Vehicle (Signature) X [REDACTED] Date 6/1/13 Time 14:35						
Name of Person Authorizing Release (Print) X					Certification: I, the Undersigned, Do Hereby Certify that I Am Legally Authorized and Entitled to Take Possession of the Above Described Vehicle. X						
Signature of Person Authorizing Release X					Signature of Person Taking Possession						
<input type="checkbox"/> STOLEN VEHICLE / COMPONENT <input type="checkbox"/> EMBEZZLED VEHICLE <input type="checkbox"/> PLATE(S) REPORT											
Date and Time of Occurrence		Name of Reporting Party			Driver's License			State			
Home Address		Telephone ()		Business Address			Telephone ()				
Last Driver of Vehicle		Date		Time		Address		Telephone ()			
I Certify or Declare Under the Laws of the State of California That Foregoing is True and Correct.				Signature of Person Making Stolen Report X			Date		Time		
Reporting Officer MARLOWIS		I.D. # 6492		Division W/I		Approved By A/SGT M. Lopez		I.D. # 5892		Detective(s) Assigned	
Required Notices sent to Registered and Legal Owners Per 22852 CVC		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Notified		Validation Notice Sent		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Notified	



OFFICER INVOLVED INCIDENT CHECKLIST

LAST NAME: Butera FIRST: Richard MIDDLE: Thomas

Age [REDACTED] D.O.B. [REDACTED] Height 5-6

Weight 180 Hair brn Eyes hzl

Police ID # 5876 Badge # 4028

Date of Hire 05-10-02

Assignment W-1

Supervisor Sgt. Nick Borrelli

Length of Assignment 11 years

Unit # 621B1 Equipment # 6893

Work Hours 0600-1600 Days Off MTW

Hours of Sleep Prior to Shift 8.5 hours

Right/Left Handed Right

Eye Sight 20/20

Glasses? Yes [REDACTED] No [REDACTED] Contacts Yes [REDACTED] No [REDACTED]

Glasses or Contacts Worn? Yes [REDACTED] No [REDACTED]

Illnesses None

Medications? Yes [REDACTED] No [REDACTED] Date [REDACTED]

Time [REDACTED] Type/Amount [REDACTED]

Have you drunk any alcoholic beverages in the last 24

Hours? If so, Type N/A

Quantity N/A

INJURIES/COMMENTS: None



Primary Weapon

Make Not Used Caliber

Serial # Model #

Department [REDACTED] Personal [REDACTED]

Secondary Weapon

Make Benelli Caliber shotgun

Serial # [REDACTED] Model # M-4

Department [REDACTED] Personal [REDACTED]

If weapon is an automatic, was it carried with a round in the chamber?

Primary Weapon Yes [REDACTED] No [REDACTED]

Secondary Weapon Yes [REDACTED] No [REDACTED]

Carbine Yes [REDACTED] No [REDACTED]

Number of rounds carried in magazine or cylinder?

Primary Weapon [REDACTED]

Secondary Weapon [REDACTED]

Carbine [REDACTED]

Extra magazines or speed loaders?

Yes [REDACTED] No [REDACTED] Quantity [REDACTED]

Have you altered your weapon? Yes [REDACTED] No [REDACTED]

If so, how?

Less Than Lethal Force Used? Yes [REDACTED] No [X]

OCN (Pepper Spray) [REDACTED] Baton [REDACTED] ASP [REDACTED]

Nunchukas [REDACTED] Taser [REDACTED] Beanbag [REDACTED]

Other [REDACTED]



Signature

06/05/13

Date:



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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: **Officer BUTERA, Richard Thomas, #5876**
W/M [REDACTED] DOB: [REDACTED]
Western Patrol-1st Watch
Work: [REDACTED]
Date of hire: May 10, 2002
Ht: 5'6", Wt: 180 lbs.

WEAPON USED: **Benelli, M-4 Shotgun, Serial # [REDACTED]**

OFFICER STATEMENT:

On June 1, 2013, at approximately 0930 hours, I received a call at home from Lt. Jorge DURAN, #4207. He advised me Homicide Team 5 was being assigned an Officer Involved Shooting investigation. Lt. DURAN directed me to the area of 100 Sea World Dr. I called the rest of Homicide Team 5 and the Crime Lab personnel to report to that location.

At approximately 1100 hours, Acting Sergeant Esmeralda TAGABAN, #5794, briefed us on the shooting incident. We learned that Giacomo CARGNONI had threatened someone with a handgun in the area of [REDACTED] in Ocean Beach. A call was made to the police and a suspect vehicle description was put out to patrol officers. CARGNONI was spotted in his vehicle driving northbound on Sunset Cliffs by patrol officers who initiated a stop on the vehicle. During the stop, CARGNONI, became non-compliant and began looking in his trunk and passenger side of the vehicle despite officer's commands to stop. CARGNONI ultimately motioned towards the officers in a shooting position and Officer Richard BUTERA opened fire on CARGNONI. CARGNONI was transported to UCSD hospital where died.

After the briefing, I gave assignments to Team 5 detectives and I awaited Officer BUTERA to see if he would provide a safety walk-through to ensure we collect all of the potential evidence in the case.

At approximately 1311 hours Officer BUTERA and his attorney, Robert KRAUSE, provided a quick walk through for Detective Chris LEAHY, #5869, CSS Jennifer SANDERS and Criminalist Eugene LACHIMIA, who were collecting evidence at the scene. BUTERA stated he was positioned in the southbound side of 100 Sea World Dr. with his shotgun pointed at the suspect who was near his vehicle in the northbound east shoulder. BUTERA said he fired one double-aught buckshot round at the suspect through the backseat windows of the suspect vehicle. BUTERA said he used the center divide jersey

barrier as cover and he was on the west side of the barrier when he fired that round. BUTERA then said he moved south along the concrete jersey barrier and fired a second shotgun round at the suspect. The second round was fired at an angle south of the rear of the suspect vehicle bumper and he had an unobstructed field of fire at the suspect for the second shot. The backdrop for both rounds was the area east of the road at 100 Sea World Dr.

The walk-through with Officer BUTERA lasted about two minutes and was audio recorded. It is stored on a disc and included with the rest of the audio recordings for this case.

At approximately 1400 hours, I met with Officer BUTERA and his attorney at the Homicide Office for a detailed interview. Also present was Lt. DURAN. We conducted an 18 minute interview on the details of the shooting. The interview was recorded and stored on a disc. The disc is stored with the rest of the interviews associated with this case. I had the interview transcribed in a word for word format. The interview is documented below. I have reviewed the recording to ensure the documentation is accurate.

LEGEND:

RB - Officer Robert BUTERA
RK - POA Attorney Robert KRAUSE
JD - Lieutenant Jorge DURAN
MDT - Sergeant Manny DEL TORO

MDT: Okay, the date today is going to be June 1, 2013. It's 1403 hours. This is Manny DEL TORO, ID #4754. Our location is the 4th floor in the Homicide Office. This is going to be an interview with Officer Richard BUTERA, ID #5876. Also is going to be his counsel Robert KRAUSE and Lieutenant Jorge DURAN, ID #4207. So Rick, today obviously you were involved in a shooting. So I'm going to ask you to begin with the radio call or whatever it is that took your focus towards that situation. So if you can go ahead and start there.

RB: Okay, initially at the time of the call came out, I was parked in the Western Division front lot. I was working on an 11-10, a report from yesterday. I heard the call come out of a 417 with a handgun. According to the reporting party, a white male, no shirt, sweatpants who's an acquaintance of theirs had 417 them. He had left the scene traveling northbound in a 4 door gray Volkswagen.

MDT: Okay.

RB: At that time I know the suspect's name came out. I don't recall it off hand. And again, I was in the front lot of the sub. I heard Officer CARPENTER put out that he had the vehicle traveling northbound on Sunset Cliff, approaching Sea World Drive. It was at that time that I started heading down Friars Road towards Sea World Drive, knowing that they were going to be coming in that direction in case there was failure to yield or if it was a 'hot stop' which it should be in that case, that traffic coming southbound would have to be stopped. So that's where I initially started my way to the scene.

MDT: Alrighty. So when you arrived to that area, what did you see?

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RB: I was coming southbound Sunset Cliffs, trying to get in front of traffic. I know the 'hot stop' was in progress. When I got to Friars and Sea Word Drive, I heard Officer CARPENTER put out that a 'hot stop' was in progress. I continued down there. Just as I got to the intersection where I want to say it's Ingrahm, right there, southbound around the bend, I could see where the 'hot stop' was taking place. I stopped my car I would say on the apex of the curb the best I could to stop traffic from continuing into, you know, cross fire with the officers.

MDT: Okay. Now can you tell me as far as your training goes without going in great detail, what is a 'hot stop' and why is it used?

RB: A 'hot stop' is normally used, or a felony 'hot stop' is normally used when a subject is considered armed or dangerous. There's a potential that they have a weapon on them. It's much safer to stop them, get them out of the car and bring them back to us than to approach the car in that situation.

MDT: Okay, and so when you arrived at that area, did you see such a process going on?

RB: Yes, I saw the officer. I saw a group of officers by the police car. I don't know who they were, by name. I also saw the subject who was described as a white male with no shirt and sweatpants on. He was rummaging around through the trunk of the vehicle.

MDT: So that was already going on when you arrived?

RB: That was already going on when I pulled up.

MDT: Okay.

RB: I pulled up. The trunk was up. The passenger side doors were open, and he was rummaging around in the trunk. And my initial thought was, 'What's going on? Why is he running, you know, why is he back by the car?'

MDT: Okay.

RB: Uh, when I arrived on scene, I knew I was in the crossfire. Unfortunately I had to make that decision about where to park to try to keep oncoming traffic out of the way. I want to say Sergeant TAGABAN actually got on the air and said, 'Hey for the unit that just stopped coming southbound needs to move because of the crossfire.' At that time I was already in the process of getting ready to move. I heard it put out over the air, 'He's in the car and he's going for his gun' or 'he's going for a gun'. That's when I grabbed the shotgun. I moved my position from where my car was parked in the southbound lanes. I actually went southbound in the traffic lanes and took a position directly across from the suspect's car, right behind the jersey barrier.

MDT: Okay. Now your car...now we were out and we did a walk-through.

RB: Yes sir.

MDT: And you identified two positions from where you fired, okay. Now was your car parked near those locations, or was it further north?

RB: No, it was further north.

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Investigator's Report
Interview of Officer BUTERA
Case #13-021594 and #13-021595
Page 4

MDT: Was further north?

RB: It was still at that location; the car that was across the number one and number two lanes there. It was my vehicle.

MDT: That was your vehicle? Okay.

RB: That was my vehicle.

MDT: So and the vehicles, did you get a chance to see them when we did our walk-through? When we were out there, did you see what positions the vehicles were in up there?

RB: Yeah. My vehicle and this other one.

MDT: Was that in the same position uh, when you exited your vehicle?

RB: Absolutely.

MDT: Absolutely. Okay, so nobody moved?

RB: I don't believe it was moved at all.

MDT: Okay, so then you came down on foot?

RB: Um huh.

MDT: And you were going towards....?

RK: Is that a yes or no?

RB: I'm sorry, yes.

MDT: All right. So you came down on foot? And that was a yes?

RB: Yes.

MDT: Okay, and uh, I think you said you used barriers as cover?

RB: Yes, I did.

MDT: Okay, and what was your intent at that time when you moved on foot?

RB: Well my intent was first I needed to get out of the crossfire situation.

MDT: Okay.

RB: I wanted to also get a better view of the suspect and what he was doing in the car. Because at that point as I was moving up on foot, I could see him go from the trunk to the front of the car. He went back. He reached into the back of the car. And he was digging around in the car. He seemed very animated. I could hear the other officers yelling commands to him.

MDT: Can you give me an example of what you heard?

RB: I can't say exactly. I don't recall exactly what it was.

MDT: Do you remember the type of commands that they were given?

RB: Uh, they were giving him commands to put his hands up. I do know that.

MDT: Okay.

RB: But other than that, I can't recall exactly what the terminology was they were using.

MDT: Now when you saw this going on, you continued on foot going southbound?

RB: Southbound.

MDT: Correct? And that would be in the southbound lanes of Sunset Cliffs?

RB: Yes, number one lane.

MDT: Okay, the number one lane. So uh, what actions did you take at that time?

RB: Okay, I actually took a kneeling position right behind the barrier which put me directly across with a view, looking through the suspect's open driver's side door, and out the passenger side door. I could see the entire vehicle clearly from that position.

MDT: Okay.

RB: I too started giving him commands. I started yelling to him, you know, 'Put your hands up! Put your hands up!' I did see him. He was crouched down by the passenger side. He looked directly at me.

MDT: Um huh.

RB: As I'm giving him the commands. At one point he put his hands up like, 'Okay, my hands are up'. He immediately put them down. That's when he reached in between the seats and he grabbed out. I saw a black handle come out which at the time I believed it was a gun.

MDT: Okay.

RB: There's no doubt in my mind with the type of call that came out that he was already reported to 417 someone with a gun.

MDT: Um huh.

RB: We had, it came out over the air, 'He's reaching in the car for a gun'. And when I saw him pull out the black handle, that that was a gun. From that point, he took a crouching position behind the, it would be in the open front passenger side, behind the open rear passenger side door.

MDT: Okay.

RB: He extended his arms into what I know is a shooting position.

MDT: Okay.

RB: When he did that....

MDT: Can you uh, just for the audio, can you describe what you saw? I know you showed me two arms, you show your hands interlocked.

RB: Yes.

MDT: Out in front of you. You're creating a, I guess say, for lack of a better of term, triangle? With, you know, your two arms forming one side.

RB: Yes sir.

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MDT: And then the third side being your body?

RB: Yeah. He squatted down in what I know is a shooting position.

MDT: Okay.

RB: In which he was squatted, behind cover.

MDT: Um huh.

RB: He had both arms extended in front of him. Like you said, they were clasped together in a triangle for lack of a better way to put it.

MDT: Um huh.

RB: Um, I could also see silver, which I believed was a barrel. And I could see some black. And it was pointed directly at the officers who were conducting the 'hot stop'.

MDT: Okay, so now, first, when you first saw him take that shooting position, was it towards you or towards the officer?

RB: It was towards the other officers.

MDT: Towards the officers? Okay.

RB: Right.

MDT: So also pointed southbound?

RB: Yes, all pointed southbound directly at where the officers were.

MDT: Okay. What actions did you take at that point?

RB: At that point I fully believed that he was going to shoot the other officers. And fearing for their safety, what I actually made the conscious decision to sight in on him, check my backstop, I pulled the trigger.

MDT: Okay.

RB: Fired a round from the .12 gauge. The gun didn't go off. I had the safety on.

MDT: Okay.

RB: I must have inadvertently put it on when I yanked it. When I pulled it out of the car when I went to check it. I must have pushed it the wrong way. At that point I realized exactly what was going on and he had started to come out from the crouching position and move around the rear passenger door, again with the gun in his hands. As he was starting to raise it, pointing back towards the officers, I again believed he was advancing on him. He was going to shoot him, so I took a shot through the driver's side rear passenger window to where he was standing next to the rear passenger side door. The glass shattered. He stumbled backwards. I believed at that point that my rounds impacted him. Either that or it was a shrapnel coming from the, just the broken glass. I could also see as he stumbled backwards, he dropped the gun. I do know it was a knife. I actually saw it at the scene, but until that point, I one hundred percent believed he had a gun in his hand.

MDT: Okay.

RB: I saw him drop the weapon which I believed was a handgun when he stumbled backwards. At that point I changed my position a little bit southbound from my number one, shooting position. I'd say I was probably, nobody showed out at the scene, but it was probably eight or ten feet south of the rear end of his vehicle, so I could retain a better angle on him. So I could see what was going on. At that point I could hear the other officers still giving him commands to, 'Put his hands up, put his hand up'. I believe it was also, 'Get down on the ground!' The suspect looked at them. He again extended his arms, hands clasped together, arms straight ahead, and then a triangle, and what is commonly, people would recognize a shooting position.

MDT: Okay.

RB: He did not have anything in his hand. I saw him drop the weapon. He pointed at the other officers. I did not shoot him at that point because I could clearly see he didn't have a gun or the gun in his hand.

MDT: Um huh.

RB: They continued to give him orders. He started to walk forward again towards where right where he had dropped the gun, and he started to bend forward. I believed he was going to grab that gun and he was going to shoot at the other officers. And that's when I took the second shot and that second shot was aimed at his chest.

MDT: Okay, so he went from a standing position down, reaching towards to what you believed was the gun? I just...

RB: Yes.

MDT: want to make sure I heard you correctly?

RB: Yes.

MDT: And then at that point you took the shot?

RB: Yeah. He started to, you know, as he was going forward, he started to lean forward. He didn't crouch fully down. I wasn't going to give him that opportunity at that point. He was not listening to the officer's commands. He was advancing towards where the weapon was dropped.

MDT: Let's go back. Just a clarifying question. When you first struck him from your first shot that went through the driver's side window, right? Through the passenger rear window?

RB: It was the driver's side...

MDT: Rear.

RB: rear window.

MDT: Rear window, right.

RB: Yes.

MDT: Went through there, went through the uh, possibly if it was open. We don't know yet, on the other side.

RB: Um huh.

MDT: On the passenger side of the vehicle. You believe it struck him, correct?

RB: Yes, and he stumbled back.

MDT: And you describe he stumbled back. Can you describe the stumble? Did he go to the ground? Did he just go a few steps back?

RB: No, he got knocked a few steps back and he seemed to be shaken up from it. Again, I didn't know if my rounds struck him. I believe they did or if it was just the glass from the fragmentation.

MDT: Um huh, okay.

RB: Um, when I changed my position, I want to say he, and I don't know for sure. I thought he stumbled almost to a fall, but I couldn't tell you because I was moving my position at that time.

MDT: Okay.

RB: So...

MDT: So after you fired the second shot, what did you see occur at that point?

RB: After I fired the second shot, he went down.

MDT: Okay, and any other movement at all?

RB: Uh, you know, not that I saw from where I was. At that point I kind of got separated from what was going on with the sergeant. My only interaction was to get a trauma kit out of my trunk, and gave it, you know, tossed it over to the guys who were working on him.

MDT: Okay, now uh, so two shots fired?

RB: Yes sir.

MDT: Okay, and you describe the first one, that he was in the triangle position facing the officers?

RB: Yes.

MDT: I mean, obviously in your mind you articulated already that was a threat to those officers. And just confirming, that was the reason you fired?

RB: Absolutely.

MDT: And then the second one, you also articulated. And again, I'm just briefing you back to make sure I understood it correctly. And if it's different, let me know. That he was also in the triangle shooting position, towards the officers. However, this time he didn't have anything in his gun (meant to say hand). You did not fire at that point. Then as he started to reach forward, in the area where you believe the gun was?

RB: Um huh.

MDT: Uh, that's when you fired your second shot?

RB: Yeah, at one point when the officers were telling him to put his hands up, or get down on the ground, he had turned to them and he again made the uh, shooting position with his arms. Again, hands extended in front of him. Hands clasped together, as he was pointing the gun at him. And again at that time I had seen the weapon fall out of his hand. The gun I believed, fall out of his hands. And I could clearly see from where I was at that there was nothing in his hands. I did not shoot him at that point.

MDT: Okay.

RB: It wasn't until he put his hands back down and he started moving forward again, towards where the gun was.

MDT: Okay, and what was your intent when you fired your first round? What was your intent at that point?

RB: My intent there was to protect the other officers.

MDT: What was your intent when you fired the second round?

RB: My intent was to protect the other officers.

MDT: Okay, and I think we already went, going with uh, you've already articulated what you believed the threat was. Lieutenant, do you have any questions?

JD: Yeah, just going back to the initial radio call, what information did you have from the radio in terms of the call when it first came out? Uh, in terms of the suspect's behavior, his actions?

RB: Uh, this suspect, what I recall on the original call lieutenant was uh, they did describe the suspect as being homeless, living in his vehicle. He had just been kind of crashing on the couch of whoever our R/P was, or one of the neighbors. I didn't get the whole nexus there of who the R/P was in relation to the suspect. I didn't know if that was the person they were living with, or neighbor or what. They did also mention that he's probably high on cocaine and alcohol.

MDT: That came out over the air?

RB: Yeah.

MDT: Okay.

RB: Yeah.

JD: In terms of the weapon, did it get from...?

RB: The weapon came out as a handgun.

JD: Handgun, okay.

RB: It was a 417 with a handgun.

JD: And 417 is?

RB: Is to, brandishing a firearm or other weapon.

JD: Okay, To your knowledge did he, did they initially come out about him threatening or pointing a gun at anyone in terms of parts of the body or anything like that?

RB: You know I just remember that it came out as he had 417, the reporting party.

JD: Okay.

RB: I don't recall anything after that. Again, I was typing at the time and it kind of happened fast. I wasn't even on the call until later, cause the air got tied up. I couldn't get on the air to tell them I was going to be there.

MDT: Okay. Bob, do you have anything else?

RK: Yeah, a couple of things if you don't mind.

MDT: Sure, go right ahead.

RK: Uh, clarify some things that jumped out at me that might be confusing when they re-read it. Uh, you had interjected when you were talking to the sergeant about uh, I later learned it was a knife. And it was not clear to me whether, at what point you learned it was a knife.

RB: Okay, it wasn't until I went back to drop off the trauma kit. Through the entire incident and the shooting, I believed that was a gun. There was no doubt in my mind he had a handgun in his hand.

RK: So it wasn't some time intervening between the shots,,,

RB: No, it was not.

RK: that you learned it was a knife?

RB: It was after the suspect was down and when I went to give the trauma kit for, to offer first aid for him.

RK: As you give a statement right now, had you not seen that knife, do still believe it was a gun?

RB: Absolutely, it would be...

RK: Okay.

RB: you know, my story wouldn't change in terms of the gun.

RK: Also, you'd made a statement. I think it was just a misspeak, but you stated after your first round, that you thought your 'rounds' impacted him. The word you used was rounds...

RB: Okay.

RK: when it went through the back window?

RB: Yeah, it was one shot fired. It's uh, I believe it's eight pellets in those new rounds.

MDT: Right.

RB: Or nine pellets.

RK: That's what you meant by plural?

RB: By plural I meant...

RK: Okay.

RB: because of the, the type of munition it was being a .12 gauge buck shot with multiple projectiles.

RK: You're not meaning to imply you fired more than once at that point?

RB: No.

RK: Okay.

RB: It was one shot only.

RK: That's all I had sergeant, thank you.

MDT: All right. lieutenant, do you have anything else?

JD: Thank you, (inaudible).

MDT: Anything you want to add?

RB: Uh, no. I believe uh we covered everything.

MDT: Okay.

RB: Unless you have any more specific questions?

MDT: No. I think we're good.

RB: The only thing I will add to it is, I know from my positioning too, that I had a very good back drop. I could clearly see there was no (inaudible). As for the other officers, I don't know what their backdrop was other than I knew we had a lot of traffic back behind my car.

MDT: Um huh, okay.

RB: So I don't know if they were able to fire.

MDT: Oh, I do have one clarifying question. When you fired your first shot, were you in the kneeling position or standing?

RB: I was in the kneeling position.

MDT: Okay.

RB: I'm sorry I didn't clarify that.

MDT: Um huh.

RB: The second round was taken from a standing position.

MDT: Okay, I have nothing further.

RK: No.

MDT: All right. The time now is going to be 1421 hours. We're going off the air now.

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Investigator's Report
Interview of Officer BUTERA
Case #13-021594 and #13-021595
Page 12

After the interview, Crime Scene Specialist, Jennifer SANDERS, #8393, came to the headquarters building and she photographed Officer BUTERA in his uniform as he appeared at the time of the shooting. CSS SANDERS advised me she already had possession of the shotgun Officer BUTERA used to shoot the suspect (Ser# [REDACTED]) Officer BUTERA'S shotgun was turned over to the firearms division of the crime lab for processing.

On June 4, 2013, CSS SANDERS returned BUTERA'S shotgun to me after it had been processed. I secured the shotgun until June 6, 2013 when Officer BUTERA came up to the Homicide Office to retrieve his weapon.

Reporting Detective Sergeant Manuel DEL TORO I.D. 4754 Homicide Team: V
Approved by: [REDACTED] Lt. #4207 Date of this report: 06-11-13 Time: 1600 Hrs.

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013

TIME (occurrence): 0922 Hours

LOCATION: 100 Sea World Drive (North Bound)

SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at approximately 0945 hours, I received a telephone call by Team V Homicide Sergeant M. Del Toro, #4754, informing me there had been an officer involved shooting and directed me to respond to 100 Sea World Drive. I arrived at the location at 1030 hours. At approximately 1100 hours an incident briefing was given by Acting Sergeant E. TAGABAN #5794. After the briefing, I was assigned to conduct interviews of the victim and witnesses involved in the initial dispatched radio call of CARGNONI brandishing a gun.

I spoke to [REDACTED] who was the reporting party at 1238 hours and who was identified as a witness to the incident. I spoke to [REDACTED] in my assigned unmarked department vehicle in the parking lot located adjacent to her residence which is located at [REDACTED]. My interview with [REDACTED] was audio recorded. She in essence told me the following in response to my questions. Please refer to the audio recording for her complete statement:

I met CARGNONI while he was staying in the neighboring apartment complex. He had been coming around the past two weeks. I hadn't really had any one on one time with him. I had been seeing him around. He was dating [REDACTED] who has been staying at [REDACTED] house. CARGNONI had stayed at [REDACTED] house a couple of times but [REDACTED] had to tell him he wasn't allowed to stay over. FLANIGAN already had [REDACTED] staying with him.

Things in the apartment complex started to go missing. It was last Sunday (5/26/2013) when we all decided it was time for CARGNONI and [REDACTED] to leave. I told CARGNONI he had to leave, so he did. I spoke to [REDACTED] and told

Investigator's Report

Case #: 13-021594

Witness: [REDACTED]

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her she would have to leave soon enough too. I didn't say she had to leave that day or the next but eventually she would have to.

Since Sunday, I have been busy, so I haven't seen all that has happened. I only heard about what was going on. I heard the something had been stolen and everyone assumed it was CARGNONI. [REDACTED] was upset because CARGNONI had stolen his credit card and he (CARGNONI) had been asked to leave several times this past week. I heard there had been a couple of altercations during the week but I wasn't around to witness them. I guess there was an altercation last night while I was sleeping.

I woke up this morning at about 0800 hours. I had two friends [REDACTED] and [REDACTED] over and woke them up at about 0845 hours. We decided to all walk down the street to get coffee. As we were leaving my apartment, we noticed [REDACTED] front door was open. I live in the apartment above [REDACTED]. Because things were being stolen, we thought it would be a good thing to shut his door. We went in [REDACTED] apartment and saw [REDACTED] sleeping on the couch and [REDACTED] sleeping on his bed. We left and shut the door behind us.

As we were walking back from the coffee shop, we saw [REDACTED] chasing CARGNONI up the street to Santa Cruz Street. [REDACTED] chased him as far as he could then eventually gave up and came back. We were standing out front on the sidewalk of our apartment complex. I guess [REDACTED] noticed CARGNONI's car was parked in the parking lot and went over to it. I never saw [REDACTED] going through CARGNONI's trunk. CARGNONI came back.

I didn't see what took place while [REDACTED] and CARGNONI were at CARGNONI's car. The white Explorer was in the way. What I did see was CARGNONI chasing [REDACTED] with the gun after they passed the white Explorer and headed toward the sidewalk. CARGNONI then placed the black gun to his own neck. I begin to see this erratic behavior. I assumed it was drug related. I don't think CARGNONI wanted to hurt [REDACTED]. I don't remember hearing words being said to one another.

CARGNONI then pointed the gun back at [REDACTED] as [REDACTED] turned his back on CARGNONI. We told [REDACTED] to run. CARGNONI began to run back to his car as he continued to look back toward our direction which caused him to run into the white Explorer and fall. I assumed he got up and ran back to his car because I then heard the sound of screeching tires, and that is when I called the police.

I saw CARGNONI speed off.



Investigator's Report

Case #: 13-021594

Witness: [REDACTED]

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I didn't know CARGNONI well. I didn't want him in my apartment and I had to ask him to leave [REDACTED] apartment a couple of times.

My friend [REDACTED] was one of my two friends that had sent the night. I don't think he saw what happened.

I concluded my interview with [REDACTED] at 1252 hours.

Reporting Detective A. NAVARRO

I.D. 5413

Homicide Team: Relief

Approved by: [REDACTED]

4754

06/06/13

Date of this report: 06-07-13 /an

Time: 0900 Hours

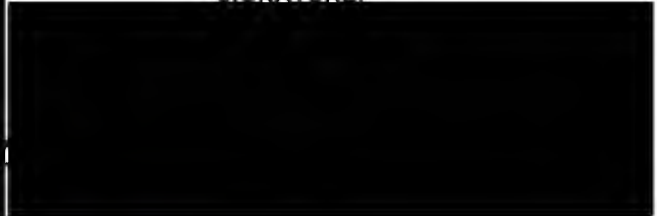
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This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date: _____ /s/ _____

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: **CARPENTER, John**
SDPD Officer, ID# 5429
Western Division
1st Watch 0600-1600
[REDACTED]

WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, I received a phone call from Homicide Detective Sergeant Manny DEL TORO (4754) asking me to respond to the area of Sunset Cliffs Blvd and Sea World Dr regarding an officer involved shooting (OIS) investigation. I arrived at the location at 1035 hrs.

At approximately 1100 hours, after the entire Homicide Team V arrived, Acting Sergeant TAGABAN (5794) briefed us on the OIS incident that occurred at 100 Sea World Drive. At the conclusion of the briefing, Sgt. DEL TORO directed me to interview Officer CARPENTER who was at Western Division located at 5215 Gains St.

At approximately 1243 hours, I interviewed Officer John CARPENTER. The interview was digitally recorded in its entirety and lasted approximately 29 minutes. My documentation is not intended to be a word for word account of our conversation, but it is an accurate summary of what Officer CARPENTER told me in response to my questions. The conversation was audio recorded and is stored on a disc. The disc will be filed with the evidence associated with this case. In essence, Officer CARPENTER stated the following in response to my questions.

I was at 4100 West Point Loma Blvd this morning when I heard a radio call come out of a man with a gun occurring now at Sunset Cliffs Blvd. I heard radio dispatch advise the suspect was last seen in a gray colored Volkswagen vehicle traveling north bound on Sunset Cliff Blvd. I pulled up my maps from the computer and saw the suspect could be possibly coming in my direction. I volunteered to assist with the call.

I was stopped at a red traffic light at West Point Loma Blvd and Sunset Cliffs Blvd to make a left turn when I saw a gray colored 4-door Volkswagen vehicle matching the description of the suspect vehicle traveling north bound on Sunset Cliffs Blvd. Radio dispatch advised there was no license plate given and the suspect was described as a

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white male, wearing no shirt, and wearing only sweat pants. I was able to see the suspect vehicle description matched and the driver was a white male with no shirt. I cut off the traffic at the intersection and immediately drove behind the vehicle near Dusty Rhodes Park on Sunset Cliffs Blvd. We stopped at the traffic light at the intersection of the I-5 Fwy. I saw in my rear mirror another SDPD police vehicle pulling up from behind, so as the traffic light turned green, I activated my overhead emergency lights for the driver to pull over. We continued driving straight on north bound Sunset Cliffs Blvd and over a bridge which automatically turns into Sea World Dr. The driver put out his left arm as he was driving and motioned with his hand by pointing to the right over the roof of the vehicle that he was possibly going to pull over to the right shoulder. The vehicle passed the bridge and slowed down to the right shoulder and came to a complete stop: 100 Sea World Rd.

I initiated a "Hot-Stop" (*SDPD procedure of guns drawn to order a person out of vehicle*) on the vehicle and saw that Officer KELLINGTON had came up to my right side passenger door and asked me to unlock it for him: so he could take that position for the hot-stop. I saw Officer MARTINEZ and Officer GREEN were behind me during the procedure. My vehicle was off-set from the suspect vehicle and approximately 20' behind it.

I yelled out for the driver to raise his hands and to drop his vehicle keys outside the driver's side window; which he did. I had the suspect, Giacomo CARGNONI exit his vehicle, step to the left side, and made him turn in one full rotation circle. Once he finished the rotation, he faced me and began walking in my direction. I yelled at him to stop, but he kept walking until he came toward the rear bumper of his vehicle. CARGNONI stopped, dropped the front of his pants, exposed himself where I could see his penis, and acted like he was grabbing something from inside his pants. I could see he did not have anything in his hands, but he quickly extended his arms forward as if he had a weapon. He put his hands together and pointed his fingers at me like if he had a gun.

From that point, CARGNONI would not do anything I asked him to do. CARGNONI immediately went to the front passenger door of his vehicle and opened it. I was yelling at him to stop. CARGNONI leaned into his car without exactly placing his feet inside and, began rummaging through the front seat and center console area. I could not see his hands, so I kept yelling at CARGNONI to get out of the car and onto the ground. He did not listen. My immediate thought was that he had a gun in the car and was going to get it. CARGNONI suddenly came out of the car, extended both of his arms forward toward us (*referring to officers conducting the Hot-Stop*), and used his hands and pointer finger to simulate a handgun. I could see CARGNONI did not have anything in his hands as he motioned like he had a gun. CARGNONI kept going back and forth into his vehicle several times and quickly would come out each time and extend his arms forward to simulate he was holding a gun. Each time, I could see his hands were empty, but it was very obvious he was trying to bait me and the other officers into possibly shooting him. The thought of "suicide by cop" crossed my mind after seeing CARGNONI going in and out of his vehicle and pretending he was aiming a gun at all of us. I kept ordering

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CARGNONI to stop moving and to get on the ground, but he just ignored the orders and kept moving in and out of his vehicle.

CARGNONI then went to the rear of his vehicle, opened the trunk, and began rummaging through items inside. CARGNONI was throwing clothing and different articles out as he moved his hands around inside the trunk. He would quickly turn around to extend his arms out again to simulate he had a gun toward us. Again, I did not see anything in CARGNONI's hands, but felt each time he placed his hands back inside the vehicle was when he would have access to a gun to use against us.

From the vehicle trunk, CARGNONI went back to the front and rear passenger door and kept leaning inside rummaging through the seats. I felt he was looking for a gun. As CARGNONI entered the backseat from the rear passenger door, I was able to see him between the trunk door and the lower part of the back window. It appeared he was looking for something. I was vaguely aware Officer BUTERA (5876) was off to my left, just outside of my peripheral vision. I saw CARGNONI stand back out of the vehicle and extend his arms and hands out toward us in handgun shooting stance. This time he was holding something in his hands. From the view I had, I could see it was a knife, but to the other officer's view, I was not sure what they were seeing. CARGNONI was holding the knife as one would hold a gun. Suddenly, I heard one shot from my left side and although I did not see who shot, I knew Officer BUTERA was in the same area.

It was obvious CARGNONI was shot by the way he spun around and fell down the embankment away from the car. After being shot, I saw CARGNONI stand back up and knew immediately he was still a threat to all of us due to his irrational behavior. There was still a likelihood of a gun being in the vehicle. He was in close proximity to the open doors of the vehicle. CARGNONI took a step toward his vehicle and motioned as if he was getting something or holding something when I heard another pop coming from my left. Again, I knew the pop was from a gunshot that struck CARGNONI. He immediately fell to the ground. I did not shoot, nor did any of the officers to my right shoot. I knew it was Officer BUTERA who shot CARGNONI.

I and the other officers walked up to CARGNONI and saw he was struck several places on his upper chest area. CARGNONI took several breaths and then stopped breathing. All of the other officers then went into crime scene mode, including myself, and began taping off the area and getting with the sergeant on scene.

Officer CARPENTER had no additional information to offer and this concluded my interview at 1312 hours.

Reporting Detective: Gary Gonzalez I.D. 5328 Homicide Team: V
Approved by: [Redacted] Date of this report: 08-08-13 Time: 1700

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, Sergeant Manny DEL TORO along with Detectives Chris LEAHY, Gary GONZALES, Jana BEARD and Angelica NAVARRO responded to 100 Sea World Drive regarding an officer involved shooting.

On June 3, 2013, at 0800 hours, Sergeant Manny DEL TORO asked me to interview several witnesses who had not been interviewed on the day of the incident. The witnesses were [REDACTED] and [REDACTED]
[REDACTED]

On June 3, 2013, at 1500 hours, I interviewed [REDACTED] inside my unmarked police vehicle in the parking lot north of Winston's Bar. I told [REDACTED] the purpose for my interview. The interview was digitally recorded in its entirety and lasted approximately twenty minutes. In essence, [REDACTED] stated the following in response to my questions.

The first time I met Giacomo (CARGNONI) was when he came over to my friend's place at Sunset Cliffs. My friends had met him previously at the beach. I wasn't there when they first met Giacomo. Giacomo would come over to the house a lot and hang out. Sometimes we would go to the beach during the day.

I was hanging out with Giacomo for about three weeks before the incident happened. I saw him the night before. We were at my friend [REDACTED] house in Pacific Beach listening to music and hanging out. We left [REDACTED] house and saw that a tree had fallen on Giacomo's car. We got the tree off of his car and then Giacomo dropped me off at the Sunset Cliffs address [REDACTED] That was the last time I talked to him.

On Saturday (June 1, 2013) I got a call and text messages around 3:00 p.m. from all my friends saying Giacomo was dead and that he got shot on Sea World Drive. They

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

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basically wanted to let me know what had happen. I guess he was over at my friend's house and had his gun out. He left my friends house and the cops followed him and caught up to him.

My friends [REDACTED] and [REDACTED] who lived in the complex told me this. I was staying there at the time. I didn't stay there that Friday night before the incident. I stayed at my friend [REDACTED] house that Friday night.

I woke up Saturday morning and found out what had happened to Giacomo. It happened at [REDACTED] house. [REDACTED] didn't witness anything.

Two days (Thursday) before the incident, my friend was having a break down. I overheard Giacomo say to her he had suicide thoughts in the past. He told my friend he was going to take her to the church to help her get better. Giacomo was being very supportive. I just don't know what happened between those two days.

I don't know if he ever attempted suicide. I just know he had thoughts about it. He never explained it to me. I know Giacomo smoked 'weed' every couple of days. I never saw him do anything else but apparently they found pills in his car. I think they were anxiety pills. I don't know exactly what they were.

No, I never saw him do 'meth' uppers or downers. Giacomo was always relaxed, calm and nice. I don't understand what happened here. He has always been a good person. This was really weird for this to happen.

The one time I saw Giacomo mad was when a guy slapped me and he got really defensive about it. He cared about me. He never got into a fight. We just got into the car and left. He was just yelling, 'Dude you can't hit a girl. That's not cool'. He was defending me.

I have no idea why he had a gun. I never saw the gun before but he may have mentioned it before. I overheard him telling someone about the gun at one of our parties. He didn't specifically tell me. I saw the gun in a soft case when he opened his arm rest one day. The gun was formed to the case. I knew there was a gun in the case. He didn't say anything about it. I glanced over and saw it. I didn't feel comfortable asking him about it.

The stories I'm hearing are so choppy from everyone. I'm trying to figure out what happened.

No, I have never on any other occasion seen Giacomo put a gun to his head. No I have never seen him violent. He is always chill and calm. I didn't know he was taking any medications.

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 3

I've known Giacomo for a month but have only hung out with him for about three weeks. I did not know him extremely well. I would see him around four times a week. We'd usually go to the beach at Sunset Cliffs. I've smoked 'weed' with him.

I knew Giacomo liked me. We were hanging out a lot. We kissed and I slept with him once. We weren't boyfriend/girlfriend, but I felt we were getting closer. We were almost to the point of dating and I liked him.

I can't believe this happened. There were no signs at all. I just saw him the night before. I saw him for about six hours. We were at my friend [REDACTED] house in Pacific Beach. Giacomo dropped me off at the Sunset Cliff house around 8:00 p.m.

I then concluded my interview with [REDACTED] at approximately 1520 hours.

Reporting Detective D. WARRICK

I.D. 4199

Homicide Team: V

Approved by: [REDACTED]

1751 Date of this report: 06-05-13

Time: 1500 Hrs.

06/29/13

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: **KELLINGTON, Michael**
SDPD Officer, ID# 6384
Western Division
1st Watch 0600-1600
[REDACTED]

WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, I received a phone call from Homicide Detective Sergeant Manny DEL TORO (4754) asking me to respond to the area of Sunset Cliffs Blvd and Sea World Dr. regarding an officer involved shooting (OIS) investigation. I arrived at the location at 1035 hrs.

At approximately 1100 hours, after the entire Homicide Team V arrived, Acting Sergeant TAGABAN (5794) briefed us on the OIS incident that occurred at 100 Sea World Drive. At the conclusion of the briefing, Sgt. DEL TORO directed me to interview Officer KELLINGTON who was at Western Division located at 5215 Gains St.

At approximately 1349 hours, I interviewed Officer Michael KELLINGTON. The interview was digitally recorded in its entirety and lasted approximately twenty-four minutes. My documentation is not intended to be a word for word account of our conversation, but it is an accurate summary of what Officer KELLINGTON told me in response to my questions. The conversation was audio recorded and is stored on a disc. The disc will be filed with the evidence associated with this case. In essence, Officer KELLINGTON stated the following in response to my questions:

I was exiting the Sports Arena parking lot when I heard radio dispatch put out a "hot call" (*SDPD term for a crime occurring now*) of a man with a gun occurring now at Sunset Cliff Blvd. The dispatcher advised the suspect was last seen in a gray colored Volkswagen vehicle traveling north bound on Sunset Cliffs Blvd. I responded to the area and heard Officer CARPENTER put out on the radio he had the vehicle with the suspect inside driving north on Sunset Cliffs Blvd. I drove to the location and saw I was the third police unit behind the subject vehicle. Officer CARPENTER stopped the vehicle north bound 100 Sea World Dr and initiated a "Hot Stop." (*SDPD term used to describe a felony stop with guns drawn*).

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Investigator's Report

Witness: KELLINGTON, Michael

Case #13-021594

Page 2

I was able to see Officers CARPENTER (5429) and MARTINEZ (5668) were already putting themselves into a position for the Hot Stop. I grabbed my shotgun and ran over to the front passenger door of Officer CARPENTER'S vehicle and took a position behind it. During the Hot Stop, Officer CARPENTER was giving orders for the suspect to get out of the car, put his hands up, and turn around so to see if he had any weapons, but none was seen. The suspect, Giacomo CARGNONI, followed the directions of Officer CARPENTER by getting out of the vehicle, putting his hands up, turning around, and then walking backwards toward us. Suddenly, CARGNONI acted differently by putting both hands inside the front of his pants and then pulling them out quickly as to simulate a gun and pointed straight at us: I did not see any gun or object in his hands. CARGNONI placed his hands so quickly into the front of his pants that his pants stretched downward enough where I was able to see his penis. I also thought CARGNONI might be under the influence of some drug, possibly PCP, by the way he was acting.

Officer CARPENTER was yelling out for CARGNONI to stop moving in a clear and loud voice. CARGNONI did not comply and ran around the rear of his vehicle to the front passenger door. CARGNONI opened the door, leaned inside, and began rummaging through seat and floor. I thought CARGNONI was grabbing a gun, since the original call came out as him having a gun. CARGNONI then leaned back out of the vehicle and jumped into a two point stance and again simulated he had a gun by pointing his hands at us. I could see CARGNONI did not have a gun, but he kept acting like he had one by the way he put his hands together and the stance he was using to aim at us.

There was a point where CARGNONI went to the rear of his vehicle and opened the trunk. CARGNONI reached inside, began rummaging through the bottom as if he was looking for something. He then started to throw items and clothing onto the street. CARGNONI would look back at us (police) and grin or smirk, sort of like he was taunting us while he was searching the trunk. CARGNONI stopped looking into the trunk and ran back to the right side of vehicle. This time he opened the rear door and leaned inside. There was a small opening between the bottom of the trunk and vehicle that I was able to see CARGNONI through the rear window. I saw him moving around in the back seat and then turn his head to see us between the same opening and smiled at us.

By the way CARGNONI was smiling, I felt he had found his gun and was ready to come out with it. At that moment, I actually put my finger on the trigger of my gun and felt this was the moment CARGNONI was going to do something. CARGNONI came out quickly once again, jumped into a two point stance facing us (police). He quickly simulated he had a gun. I saw he had a knife in his hands. I almost shot, but I was able to see the knife from the angle I had. As CARGNONI was simulating a gun, I heard a loud gunshot coming from my left side. CARGNONI stumbled down the embankment for a bit and fell down. I saw CARGNONI get back up and began moving rapidly toward the car when I heard another gunshot from my left side. CARGNONI immediately fell to the ground and laid on his side.

I did not know at first who shot, nor did I see anyone shoot, but I do remember seeing Officer Butera (5876) on the other side of the road (south bound lanes of 100 Sea World

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Investigator's Report
Witness: KELLINGTON, Michael
Case #13-021594
Page 3

Dr). He was walking in a south bound direction toward us. After the incident was over is when I realized Officer Butera had shot CARGNONI. I secured my shotgun in my vehicle and walked back to CARGNONI. Officers began giving him CPR.

Officer KELLINGTON had no additional information to offer and this concluded my interview at 1414 hours.

Reporting Detective: Gary Gonzales I.D. 5328 Homicide Team: V
Approved by: [Redacted] 4754 Date of this report: 06-06-13 Time: 1700
08/20/13

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: **MARTINEZ, Jeffrey**
SDPD Officer, ID# 5668
Western Division
1st Watch 0600-1600


WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, I received a phone call from Homicide Detective Sergeant Manny DEL TORO (4754) asking me to respond to the area of Sunset Cliffs Blvd and Sea World Dr regarding an officer involved shooting (OIS) investigation. I arrived at the location at 1035 hrs.

At approximately 1100 hours, after the entire Homicide Team V arrived, Acting Sergeant Tagaban (5794) briefed us on the OIS incident that occurred at 100 Sea World Drive. At the conclusion of the briefing, Sgt. Del Toro directed me to interview Officer MARTINEZ who was at Western Division located at 5215 Gains St.

At approximately 1323 hours, I interviewed Officer Jeffrey MARTINEZ. The interview was digitally recorded in its entirety and lasted approximately twenty minutes. My documentation is not intended to be a word for word account of our conversation, but it is an accurate summary of what Officer MARTINEZ told me in response to my questions. The conversation was audio recorded and is stored on a disc. The disc will be filed with the evidence associated with this case. In essence, Officer MARTINEZ stated the following in response to my questions.

I responded from 4100 West Point Loma Blvd this morning when radio dispatch put out a call of a man with a gun occurring now at Sunset Cliff Blvd. While driving to the location, I heard Officer CARPENTER (5429) put out on the radio he was behind a possible vehicle with the suspect driving north bound Sunset Cliffs passing Dusty Rhodes Park. I drove onto Nimitz Blvd and was able to see Officer CARPENTER following the suspect vehicle. I pulled in behind Officer CARPENTER and became the second vehicle in line. Officer CARPENTER did not have his overhead traffic lights on and looked as if he was waiting to get off the bridge for a better location to stop the vehicle. As Officer CARPENTER and I drove closer to the end of the bridge, he activated his traffic lights for the driver to pull over and stop. The suspect, Giacomo CARGNONI, drove at a

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slower speed and pointed his hand out his window to motion as if he could not pull over and then soon pulled over to the right curb near 100 Sea World Drive.

I immediately jumped out of my vehicle and ran to the front right passenger door of Officer CARPENTER's car to grab the shotgun inside so to conduct a vehicle "Hot Stop." I quickly noticed the front passenger door was locked, so I went to the right rear side of the vehicle and pulled out my service handgun to assist in the Hot Stop. I saw Officer KELLINGTON (6384) had come from behind me and went to the front passenger door after Officer CARPENTER had unlocked it for him. He took a position of cover behind the front right passenger door. I then walked up to Officer KELLINGTON from behind and took the position with him at the passenger side door during the entire time of the Hot Stop. Officer CARPENTER'S vehicle was approximately 15' behind CARGNONI's vehicle, which was the typical distance I have seen in this type of procedure.

Officer CARPENTER was yelling out for CARGNONI to get out of the vehicle, but he did not comply at first, however instead he leaned over into the front seat area and began rummaging through something. I thought at that time he was grabbing a gun or even loading it, since the radio call mentioned he was armed with a handgun. CARGNONI stayed in the front seat for at least thirty seconds and then stepped out as he was ordered by Officer CARPENTER.

Once CARGNONI was out of his vehicle, he was ordered to turn around and walk back toward our vehicle. He complied until he was just past the rear of his car. CARGNONI then placed both of his hands inside his waist band and quickly pulled out his hands to motion as if he had a gun. It did seem as though CARGNONI was baiting us (police) to shoot him by the way he acted as if he had a gun. I could see CARGNONI did not have a gun when he acted out, but what he was doing was strange.

CARGNONI then ran around his vehicle to the front passenger door and opened it. Officer CARPENTER was yelling to CARGNONI to stop and not to go inside the vehicle. He did not listen to us and just ignored everything we said. CARGNONI reached inside the front passenger area without actually going inside and began rummaging through the seat and flooring. CARGNONI then leaned back out of the vehicle and "popped" into a two point stance and aimed his hands at us as if he had a gun. I could see CARGNONI did not have a gun, but he kept acting like he had one by the way he put his hands together and the stance he was using to aim at us. I have heard of suicide by cop through my training at the academy, but never experienced it before until now. I felt CARGNONI was acting out in this manner to get all of us to shoot him.

During the entire time CARGNONI was acting out, Officer CARPENTER was giving him orders to stop moving. All the while he kept reaching in and out of the front passenger seat looking for something. It was obvious CARGNONI was not going to listen to anyone by the way he was just looking straight through us as if we were not even there. Every time CARGNONI would reach into the vehicle, I felt he was going to pull

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out a gun and shoot at me. However, each time CARGNONI would get into a shooting stance and simulate a gun with his hands, I was able to see he was not holding anything.

There was a point where CARGNONI did go to the rear of his vehicle and open the trunk. CARGNONI then reached inside, began rummaging through the bottom, and threw items and clothing onto the street. CARGNONI then turned around quickly and simulated he had a gun by point his two hands at us. CARGNONI went to the right rear door and opened it, but then he went behind it like we (police) do in a Hot Stop for cover and crouched down to simulate he had a gun and pointed it at us. I could see CARGNONI did not have a gun, but his actions were like he did have one.

CARGNONI then went to the front passenger door and leaned in and popped out with something black in his hands. I could not see what the object was, but immediately thought it was a gun. I then heard a gunshot and thought originally Officer CARPENTER had shot because the sound came from my left side. I saw CARGNONI hunched down when the shot went off and kind of walked down the embankment, but stood back up and walked back toward us. Once CARGNONI began walking, I heard another shot from my left side and saw him fall down to the ground. None of us (police) left our position of cover for a moment and shortly after, all of us walked over to CARGNONI. I saw CARGNONI was bleeding really badly from his left side of the chest and had a lot of chewed up white pills inside his mouth. CARGNONI never said a word the entire time I saw him and it was very obvious to me he wanted to be shot by us. I saw the object CARGNONI was holding onto was a knife and it was lying on the ground near him. I did render first aid to CARGNONI by giving CPR until medics arrived and they worked on him for another fifteen minutes before they transported him away.

After the incident was over, I learned for the first time Officer BUTERA (5876) was the officer who shot CARGNONI, not Officer CARPENTER. I did see Officer BUTERA earlier during the Hot Stop on my left side, but on the other side of the road (south bound 100 Sea World Dr). I saw he had a long gun, but not sure what type. I did not see Officer BUTERA shoot, but only heard the shots as I was focused on CARGNONI.

Officer MARTINEZ had no additional information to offer and this concluded my interview at 1344 hours.

Reporting Detective: Gary Gonzales I.D. 5328 Homicide Team: V
Approved by: [Redacted] 4754 Date of this report: 08-08-13 Time: 1700
08/15/13



**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at about 0945 hours, I received a call from Sergeant Manny DEL TORO, #4754. Sgt. DELTORO directed me to respond to the area of Sea World Drive and West Mission Bay Drive to assist in an officer involved shooting incident.

I arrived on scene at about 1020 hours. At 1100 hours, I attended a briefing conducted by Acting Sergeant Esmeralda TAGABAN #5794. The briefing concluded at 1120 hours.

At the conclusion of the briefing I was assigned to assist Detective Chris LEAHY, #5869, with the scene investigation. After I concluded my time with Detective LEAHY I went to Western Division to assist with witness officer interviews. I later returned to the homicide office and was informed by Sgt. DELTORO that a witness had called into communications and needed to be interviewed.

I called the witness, [REDACTED] and spoke with her briefly over the phone. I arranged to meet with [REDACTED] at her home for an interview on June 3, 2013 at 1200 hours.

On June 3, at approximately 1200 hours, I met with [REDACTED] who essentially told me the following:

I had just dropped my family off at the airport so I was coming back via Nimitz Blvd. So I was heading toward Sea World from the airport. I was heading north on Nimitz and got to that intersection where you can turn right and get onto the 8 freeway. So right when I got to that intersection, I could see police cars coming; heading south. They made a u-turn and then I pulled over to the right. They had their lights and sirens on.

I got through the intersection and just pulled over to the right. I think there were two police cars that passed me on the left. I pulled back to head north again and I could see

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 2

they (police) stopped up there. There was already another police car stopped up there with this grey Volkswagen. So it was a dark grey Volkswagen, a stopped police car and then those two new ones that had just pulled up.

I thought I was just going to go around this, whatever they are doing. As I was pulling into the left hand lane, I could see the cars kind of lined up. Before I knew it, another police car came, I'm not sure if it came north or south, but suddenly that car was right behind me and I could not move over to the right anymore because that police car moved to my right so they could get around me. They were not waiting for me to pull over to the right again. Then all of a sudden that police car pulled like this (demonstrating perpendicular) in front of me and stopped me.

I stopped obviously. That police woman got out of that car and ran over to the other ones. She just kind of glanced at me and I just kind of went like this (demonstrating with her hands up), with an 'I'll stay right here' motion. I couldn't move anyway because she was in front of me. So she kind of went over to the other police cars. Shortly thereafter, another police car heading south stopped opposite of all of those cars. There is a cement barricade there and that officer stopped opposite the other police cars.

I could hear all of them yelling to the person that was sitting in the Volkswagen, "Get out of the car with your hands up". They were saying it in a variety of ways. They said it over and over again. Finally the person got out of the car. It was a guy, tall, thin with no shirt on. He seemed to be white, but he was tan. He could have been Hispanic, but looked more Caucasian to me. He got out and put his hands up (demonstrated by holding her hands over her head). He stood there and it was like split seconds. I was nervous and I'm not sure how much time each thing I am observing is. He had his hands above his head and he walks, he turned around and he walked toward the back of his car. He was on the driver's side of his car and walked toward the back bumper. He stood there for maybe a second, still with his hands over his head.

I was looking over to the right, the police over there. The police man on the other side of the barricade. I was kind of looking all over. The next thing I notice is there is stuff on the ground, near his trunk. I think he opened the back of his trunk. But to be completely honest, I'm not sure I saw him open the trunk because I am looking at all of the stuff going on. For a split second, I thought that he was on the ground. I think that was because that is what my brain is telling me is the next thing he should do. In actuality he wasn't, he was still standing. There was a big white, like a pillow case or a bag with dirty laundry, on the ground. I thought for a second it was him, but it was the bag. He was still standing. I was still looking around trying to do the whole scene, I was still looking at him but I am also looking elsewhere.

Yes, the officers were still yelling at him. My windows were up, but I could hear voices; muffled. I believed they were saying something to him at that point. It wasn't as loud as when they were telling him to get out of the car.

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 3

The next thing that I recall is that he like bolted. He ran around the back of his car and over to the driver's side (later clarified passenger's side). He got into the front passenger door. The next thing I remember seeing is he was going down, head first, into the front passenger seat. It looked like he moved around the trunk to the passenger's side. It was all happening so fast and you just expect someone to obey. None of this stuff was making sense.

Then at that time I thought this is going to be really bad. I was thinking to myself, 'He could get a gun or something and try to shoot those policeman and guess what? You are right in almost a straight line'. I started going down (ducking). I was leaning down to my right. I was thinking I better get away from my window. I started leaning over. I was looking down as I was going down. As I was just about down I heard a pop. My level of eyes, I could still see a little bit out of the front window. When I looked up after the pop I saw something white in the air. I wasn't quite sure what it was; maybe smoke. It was near the Volkswagen car, the passenger side. There was a whitish something in the air. Now I know when I drove by I noticed a broken window, so maybe it was glass or something.

I only heard one pop. Obviously I have seen stuff on television about two, but all I heard was one.

The last time I remember seeing the guy was when he was going into the passenger side of his car. I would assume it was the front passenger side door, but I was at such an angle I could not tell.

The trunk was open and things were on the ground. From my side I could not see the full trunk because there was a police car there too. I don't remember if the driver's door was open.

No, I don't recall him saying anything to the officers. No, I don't recall anything in his hands, but I did not see him when he went over to that passenger side door.

(Do you recall where the officer you saw come in from south was?) Yes, he was on the opposite side of the street by the cement barricade. He had a shotgun or a rifle. He had it pointed in the direction of the car.

At this point in the interview I drew out a diagram of the area. I drew out the northbound traffic lanes and the suspect vehicle position. I then asked [REDACTED] to place the position of the police cars and her general location (refer to attached diagram). I later (off tape) asked [REDACTED] how far she thought she was from the suspect vehicle. She estimated 50 feet.

[REDACTED] went onto say,

I think the reason I can't remember seeing the guy open his trunk is because this officer (with shotgun) kind of scared me and my intention was kind of drawn to him for awhile. I think when I looked up I saw the white bag on the ground.

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 4

I think the officers is maybe more over here (near the first and second police car). They weren't real close to the guy that's for sure. It was hard for me to see east of the cars.

Yes, the officers had their guns drawn.

I only heard one loud noise. I can't say I have ever heard a gun go off, or be fired. It sounded like a loud pop. It surprised me that it sounded like a pop. I don't know what I thought it would sound like. It sounded kind of like a firecracker. It sounded muddled, not crisp.

I would say this was about 0920, sometime around there. You know I have an I-phone. It occurred to me I could videotape it or take pictures. I made a conscious decision to not do that. I was afraid someone was going to get hurt; the officers or the person. I did not want anything on my personal phone. It just felt so weird and I didn't want to capture it.

I concluded the interview at about 1225 hours. The interview was recorded in its' entirety, refer to recording for complete details. After concluding the interview I spoke with [REDACTED] and thanked her for calling in and reporting herself as a witness. I also told her she did the right thing by trusting [REDACTED] instincts and taking cover. [REDACTED] was very complimentary toward the officers and their action essentially stating they exhibited extreme patience. I then realized I had not asked her what happened after the shooting occurred and went back on tape.

[REDACTED] essentially said,

You know what I saw and this was really odd, this is an odd thing that stuck in my head. It seemed like the officers moved back. They didn't rush in towards, it seemed like they moved back. I don't know what that means, but that kind of surprised me. As I thought about it later on, that is what they should do.

No, I never saw the suspect after that. After that one shot that I heard I saw police officers immediately take a few steps back and then after a second or whatever they were moving toward the car on the right hand side (passenger side).

After a minute or two, a female officer walked back toward where I was. She came up to my driver's side. She told me she needed me to pull up to the right to get an ambulance through. I put my car in reverse. Someone was talking to her through her radio. Then she told me to stop. She walked away and I sat there a few more minutes. She came back and said she was going to move her car and wanted me to leave.

(You mentioned off tape that the officers exercised extreme patience.) Absolutely because he wasn't doing what they were saying. When he walked back to the back of the car, he kind of stood there.

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Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

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Like I said, I thought I recalled in between looking at the officer on the other side of the cement, that he got stuff out of his car and threw it on the ground. I just thought at that point they maybe could have done something. I just thought they were totally restrained. I think they gave him a lot of leeway. And then later on that night watching the news I found out this person had a gun over in Sunset Cliffs. It was even more amazing to me they didn't do something to him when he was at the back of the car. I was very impressed.

[REDACTED] told me she was driving her 2013 BMW SUV at the time of the incident (California license plate number [REDACTED])

Reporting Detective Jana BEARD

I.D. 4807

Homicide Team: V

Approved by: [REDACTED]

4754

Date of this report: 06-06-13

Time: 1000

06/11/13

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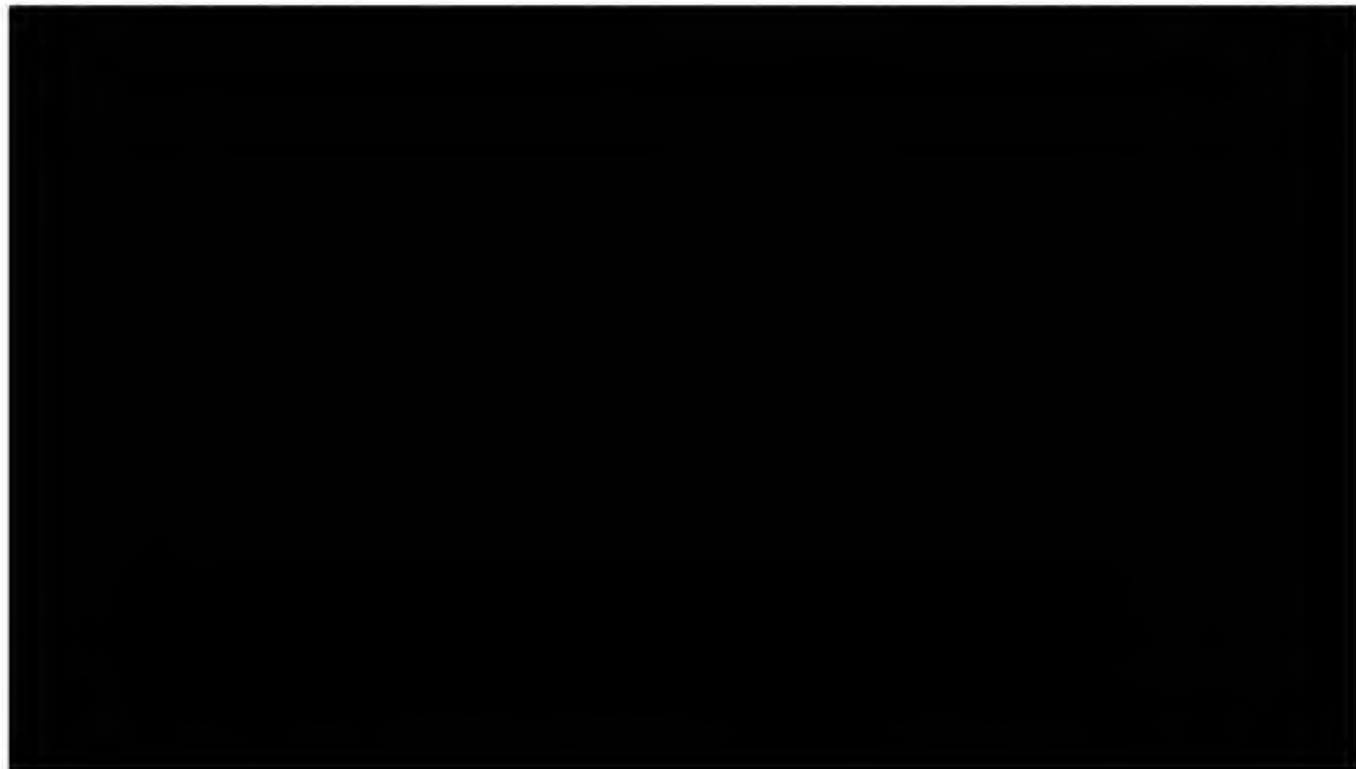
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**CALIFORNIA DEPARTMENT OF MOTOR VEHICLES
IMAGE RECORD FOR:**

HAIR: [REDACTED] **EXPIRES:** [REDACTED] **CLASS:** [REDACTED] **SEX:** [REDACTED]
EYES: [REDACTED] **HEIGHT:** [REDACTED] **WEIGHT:** [REDACTED]
DATE OF BIRTH: [REDACTED]
ADDRESS: [REDACTED]

PHOTO DATE: 09/17/2002	PHOTO OFFICE: 519	APPLICATION DATE: 09/13/2012	APPLICATION OFFICE: 235
ISSUE DATE: N/A	ISSUE OFFICE: N/A	RESTRICTIONS: 0	



This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date: _____ /s/ _____

[REDACTED]

[REDACTED]

IDENTIFYING INFORMATION:

[REDACTED]

[REDACTED]

[REDACTED]

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OFFICER
w/ SHOTGUN

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VW

1st PD

2nd PD

3rd PD

AM PD



JUNE 3, 2013

4th PD



**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013

TIME (occurrence): 0922 Hours

LOCATION: 100 Sea World Drive (North Bound)

SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at approximately 0945 hours, I received a telephone call by Team V Homicide Sergeant M. DEL TORO #4754 informing me there had been an officer involved shooting. He directed me to respond to 100 Sea World Drive. I arrived at the location at 1030 hours. At approximately 1100 hours an incident briefing was given by Acting Sergeant E. TAGABAN, #5794. After the briefing, I was assigned to conduct interviews of the victim and witnesses involved in the initial dispatched radio call of CARGNONI brandishing a gun.

I spoke to [REDACTED] who was identified as a witness to the incident. I spoke to [REDACTED] in my assigned unmarked department vehicle in the parking lot located adjacent to her residence located at [REDACTED]. My interview with [REDACTED] was audio recorded. She in essence told me the following in response to my questions. Please refer to the audio recording for her verbatim statement:

I got to [REDACTED] apartment at about 0100 or 0130 hours. We had a couple of drinks. [REDACTED] and [REDACTED] were downstairs in their apartment, so we walked back and forth. [REDACTED] was already in bed when I got to her apartment. She wasn't hanging out. I eventually went to sleep on [REDACTED] couch. We woke up at about 0800-0830 hours and we decided to go and get coffee. We went downstairs and noticed [REDACTED] front door was open. We went inside and noticed [REDACTED] was asleep in the living room on a beanbag and [REDACTED] was asleep in his bedroom. We didn't see anyone else sleeping. We left and shut the door.

We got our coffee and stayed for about a half an hour at the coffee shop. As we were walking back we saw [REDACTED] running across Sunset Cliff's Blvd. chasing a kid. I asked if that was CARGNONI that [REDACTED] was chasing. [REDACTED] couldn't tell at

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Investigator's Report

Witness: [REDACTED]

Case #13-021594

Page 2

that point. I saw CARGNONI run up to Santa Cruz Street. CARGNONI was not wearing a shirt or shoes. He was only wearing sweatpants. [REDACTED] came back stating that he had chased CARGNONI and that CARGNONI had placed a knife to his neck. [REDACTED] was all worked up.

CARGNONI's car was parked in the parking lot and I saw [REDACTED] walk over to it and start messing with it. I then saw CARGNONI shoot down the walkway in between the two buildings and run to his car. CARGNONI didn't come back to his car right away. He must have lingered for about a minute. It was long enough for [REDACTED] to take things out of CARGNONI's car. CARGNONI took out his gun from his car and put the gun right up to [REDACTED] face. I saw all of it. I was standing at the corner.

CARGNONI and [REDACTED] started running. They ran passed my car (white Explorer) and that's when I saw CARGNONI place the gun behind [REDACTED] head. CARGNONI told [REDACTED] to get away from him. They were both screaming. There was one point when CARGNONI pointed the gun at his own chin and said, "Get away from me". [REDACTED] ran back to the apartment and CARGNONI turned to run back to his car and ran into my car. CARGNONI fell down and that is when [REDACTED] and I ran into her apartment to call the police. I am not sure why CARGNONI pointed the gun to himself. It was very bizarre.

I could only hear CARGNONI yell out for [REDACTED] to get away from him. I don't know CARGNONI but I assumed by his behavior he was on drugs.

It wasn't long after when I heard him speed off. He must have taken the time to put the things that [REDACTED] had taken out back into his car. [REDACTED] came back out from his apartment with a bat but CARGNONI had already sped off.

I didn't see CARGNONI drive out of the parking lot but only heard him speed off and drive down Sunset Cliff's Blvd. I was able to see he was driving a gray Volkswagen.

[REDACTED] was in his apartment, I never noticed that he had come outside. His front door was open. [REDACTED] walked up with [REDACTED] and me but ended up going into [REDACTED] apartment with [REDACTED] when the incident took place and came out after.

I concluded my interview with [REDACTED] at 1307 hours.

Reporting Detective: A. NAVARRO

I.D. 5413

Homicide Team: Relief

Approved by: [REDACTED]

Date of this report: 06-07-13 /an

Time: 0900 Hours

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08/20/13

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, I received a phone call from Homicide Detective Sergeant Manny Del Toro (4754) asking me to respond to the area of Sunset Cliffs Blvd and Sea World Dr regarding an officer involved shooting (OIS) investigation. I arrived at the location at 1035 hrs.

At approximately 1100 hours, after the entire Homicide Team V arrived, Acting Sergeant Tagaban (5794) briefed us on the OIS incident that occurred at 100 Sea World Drive. At the conclusion of the briefing, Sgt. Del Toro directed me to interview [REDACTED] who was standing near his parked vehicle at 100 Sea World Dr.

At approximately 1122 hours, I interviewed [REDACTED] The interview was digitally recorded in its entirety and lasted approximately thirty-eight minutes. In essence, [REDACTED] stated the following in response to my questions.

I was driving to [REDACTED] from my home and was on Sunset Cliffs Blvd heading northbound into Sea World Drive when I heard two “whoop whoops” (horn) of a police vehicle behind me. I saw a police vehicle had its lights on (emergency overhead) and was passing me on my right side as I was positioned in the #2 lane of the street. The police vehicle stopped in front of me on the right side to prevent vehicle traffic to continue north bound. Out of reflex, I took out my iPhone and began taping several police vehicles lined up behind each other that were stopped on the right shoulder of the roadway. Police officers had their guns out and were huddled behind the front passenger door of the first police car.

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Investigator's Report

Witness [REDACTED]

Case #13-021594 and 13-021595

Page 2

I could see a man about 6' tall, white, no shirt, and brown hair standing next to the right side of a car that was stopped in front of the first police vehicle. The officers were pointing their guns at this shirtless male as he was bouncing around the right side of his vehicle. It was obvious this male was not complying and I could hear the officers shouting out to this person. I can only assume they were barking orders for this person to stop moving. I was sitting inside my vehicle the entire time while filming what was happening. I was probably 40-50 yards away from everyone, but I was still able to see and hear everything well.

As the male was moving around to the right of his vehicle, I suddenly saw him duck down in front of the police officers huddled behind the front passenger's door. The suspect suddenly stood-up, quickly extended both of his arms toward the officers at chest level, and had his hands together as if he was holding something. It looked to me as if the male was gesturing that he was aiming a gun at the officers. I was not able to see if the male actually had a gun, but it appeared as if he was pointing toward the police like he had one. His body was positioned similar to a person aiming a handgun.

The male was in a standing position gesturing as if he had a gun when suddenly I heard a loud "pop" sound coming from the left side of me. I recognized the sound as being a gunshot. The male immediately fell to the right side and tumbled down into the dirt embankment approximately 15' near a large rock. The male stood back up and began walking back toward the officers who were all still huddled behind their front passenger door. The male again extended his arms outward as if he was aiming a gun at the officers. He then slowly lowered them when another loud "pop" sound came from the left side of me. The male fell down immediately and never came back up again. I could not see any other officers other than the ones on the right side of the front police vehicle, so I was not sure where the shots came from.

[REDACTED] gave me permission to take possession of his iPhone to forensically download the video for evidence. I had the video downloaded and it is included in the investigative binder. [REDACTED] had no additional information to offer and this concluded my interview at 1200 hours.

Reporting Detective Gary Gonzales

I.D. 5328

Homicide Team: V

Approved by [REDACTED]

4754

Date of this report: 06-03-13

Time:

06/11/13

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**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, Sergeant Manny DEL TORO along with Detectives Chris LEAHY, Gary GONZALES, Jana BEARD and Angelica NAVARRO responded to 100 Sea World drive regarding an officer involved shooting.

On June 3, 2013, at 0800 hours, Sergeant Manny DEL TORO asked me to interview several witnesses who had not been interviewed on the day of the incident. The witnesses were [REDACTED] and [REDACTED]
[REDACTED]

On June 3, 2013, at 1350 hours, I interviewed [REDACTED] inside my unmarked police vehicle at Western Division Police Station. I told [REDACTED] the purpose for my interview. The interview was digitally recorded in its entirety and lasted approximately thirty minutes. In essence, [REDACTED] stated the following in response to my questions.

On June 1, 2013 at about 9:15 in the morning, I was driving south on Sea World Drive. I saw a police officer driving really fast behind me. I thought I was going to get pulled over. The officer actually passed me and continued driving. I was following behind him. The officer eventually came to a stop. He had his car parked diagonal, blocking traffic. I thought there was possibly something in the road so I was watching the officer.

I saw the officer get out of his car quickly with something in his hand. I noticed on the opposite side (Northbound lane Sea World Drive) a lot of police cars and I thought there was possibly a car accident. I noticed a silver car along with the police cars. I thought I heard the words, 'Get on the ground! Get down!' I rolled up my window for a second because I was scared of what was going on.

Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 2

I saw the man or kid (suspect) who got shot on the passenger side of the grey/silver car. He was a little distance away when I saw him. He was not right up to the car but a little distance away. I realized it was a standoff. I believe I heard three shots. I heard the first shot. I thought I saw the kid (suspect) with his arm up. I assumed he had a gun because they (police) had their guns drawn and they were shooting. The police officer who had parked in front of me pulled out his rifle or shotgun. He (suspect) was holding something in his hand like this. [REDACTED] demonstrated by holding her left hand above her head and pointing simulating a gun). It was hard to take in. I was trying to digest what I was seeing and at the same time I didn't want to get shot.

I thought he was holding something. I assumed he had a gun because all the officers were in that defensive guard. I eventually saw the officers with their guns drawn and I was like, 'Oh shit!' My order of remembering stuff is jumbled in my head.

I heard another 'pop' and thought he (suspect) shot the police. Then I realized he (suspect) got shot and went down to the ground. I don't know if they (police) said anything to him but he got back up. I think he was going towards his car. That is when they (police) shot him again. He went to the ground and I thought, 'Oh my God! He is dead'. I saw one of his arms twitching. At one point the officers came around him (suspect) and it seemed like they (police) were standing there for a minute or two. At one point I saw someone checking his pulse and a few minutes after that someone came and did CPR. That is what I remember.

At that point I called my first client to let her know what had just happened and that I might be late. I wasn't sure if I was going to get stuck on the bridge. I did take a photo and I do have it on my phone. The photo just shows the officers around him (suspect). I might have the time if I haven't cleared it from my history. *(At this point [REDACTED] checked her phone for the time she called her client. She cleared the call and did not have the time).*

At this point I went over [REDACTED] statement again to be clear about the sequence of events since she was a little jumbled in her accounts of what took place. She stated the following:

I was driving southbound on 100 Sea World Drive. There was a police officer behind me. I moved over and the officer passed me. I was following the officer from a distance. The officer stopped right before you get to the bridge. *(It should be noted [REDACTED] pulled up the photo on her phone while describing the events that occurred prior to the shooting. See attachment for details).* So this is me from a distance inside my car. This is where the officer was stopped. I'm the first person behind the officer. There was a white truck behind me. The police officer in front of me was the original officer who was behind me. The officer stopped then I stopped. Everything happened on the opposite side (northbound lane of 100 Sea World Drive) of the freeway.

I was looking back and forth and he (suspect) wasn't super close. I read the article.

Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

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At this point I told [REDACTED] I wanted to know what she witnessed or heard, not what she read in an article or what she was told by other people. [REDACTED] then continued with the following.

I saw at least three, four, maybe five police cars on the opposite side of the road behind the gray/silver car. I don't know if I saw him (suspect) out of the car first or the police with their guns drawn. The officers were protecting themselves behind their cars. I believe there was a cop car closer to his (suspect) car. I don't remember seeing police officers approaching him (suspect). I did see three or four officers outside of there vehicles with their guns drawn. I know the officer in front of me had a rifle or a shotgun. He was moving along the center divide, towards the grey/silver car.

The guy (suspect) was in the grassy area on the passenger side of the vehicle. This photo was taken after he (suspect) was shot. I want to say I didn't see him at first. Maybe he was possibly out of my view. When I saw him (suspect) he was moving away from the car towards the trees. He was moving away from the officers.

I did look down because I was kind of afraid. I actually ducked down in my car. I knew bullets were going to fly. I don't know if that is when I heard the shot.

I heard one shot and I think I looked. My brain doesn't always process it quickly. I thought I heard another shot. I want to say his arm was up like this [REDACTED] *raised her left arm above her head pointing her fingers,* when I heard the first shot. He (suspect) had something in his left hand. I don't know what it was. Within 5, 10, 15 seconds I heard a second shot. It didn't seem that long. I thought he (suspect) was shooting back at the cops.

I don't know if they (police) were yelling at him (suspect) again. I can't think clearly. I heard commands and obviously he wasn't coherent or complying. I thought he (suspect) was on drugs. Not long after that he got up. He was heading towards the car and got shot again. It was not long after the second shot that I hear a third shot. That's if there was even a third shot at all. I'm not sure. He (suspect) fell to the ground and didn't get up.

I think it was about ten seconds before officers approached. There were at least four or five officers around him. When he first got shot I could see him (suspect) on the ground and his arm was twitching. My view was blocked when the officers were around him. It seemed like a minute or two before the officers checked his pulse. I don't know. Maybe they (police) thought it was fatal. A few minutes later another officer came and started doing CPR. About that time I could hear the ambulance coming from a distance.

No, I didn't see the shooting or which officer shot. I heard the shots. I thought the officer who was carrying the shotgun was going over the center barrier. I don't remember if he got out and went back to his car. I just don't know.

All I remember hearing was, 'Get down!' At one point I rolled up my window because I was nervous. I rolled it back down. This was before the gunshots and when the officers had their guns out. I'm sorry I'm a bad witness.

Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 4

The distance between me and the gray/silver car was about from here to the building. *(The distance from my police car to the building was approximately 150 feet and the distance to the mission sign was about 200 feet).*

It was close enough for me to see the male (suspect) was wearing jeans and had no shirt. I think his hair was short and brown. I thought he was a white male.

I've already looked on line and I know he was 5'8' and 160 pounds. I know he has a prior record. I searched his name on the Internet. I talked to another witness, [REDACTED] who actually knows him (suspect). We spoke on the phone trying to make sense of all of it. [REDACTED] saw the stuff prior to the incident. He saw the kid running out of the house.

I was curious who the kid was. It was really sad what happened. I got his (suspect) first name because [REDACTED] posted it on 'Facebook'. I never got his last name. It was online and in one of the news articles. I did a search last night and found out he'd been arrested in August or September of 2012 and something happened when he was eighteen. So I knew his height and weight from the news article. I've never seen a picture of him.

The only other person I talked too was the other witness who was also interviewed. He [REDACTED] was the one who video recorded it. I think his name was [REDACTED]. We emailed on 'Facebook'. (See attachment for details of conversation). It was [REDACTED] who I spoke to. *(It should be noted [REDACTED] looked on her "Facebook" account to get the name and conversation she had with [REDACTED])*

I have to know. What was he holding in his hand? Will it be released eventually? I explained to [REDACTED] it was an ongoing investigation and I could not release that information to her.

[REDACTED] had no additional information to offer and I concluded my interview at 1425 hours.

After my interview with [REDACTED] she told me she talked to [REDACTED] over the phone. I turned on my recording device and asked [REDACTED] to tell me about their conversation. [REDACTED] continued with the following.

Basically [REDACTED] told me he had seen the kid (suspect) who got shot on Friday night. [REDACTED] gave him money for food because the kid was always hungry. So [REDACTED] helped him out. I guess at some point the kid had gone to a 'Rave' party and had possibly taken some uppers (pills) and downers (pills).

He (suspect) had been seeing some girl who lived in 'OB' (Ocean Beach) and I think she [REDACTED] was going to be kicked out of the house. I think they tried to stay at the house together and the other guy who lived at the house didn't like it. So she [REDACTED] was supposed to leave and he (suspect) showed up on Saturday morning at seven to pick her up. She was not there.

Investigator's Report

Witness: [REDACTED]

Case #13-021594 and #13-021595

Page 5

At one point he (suspect) went into the house and slept on the ground. According to [REDACTED] some other guy (unknown name) started beating up the kid (suspect). The kid jumped up and ran outside. I think [REDACTED] saw him running to the car and get something out of the car. He (suspect) got a gun out of his trunk and held it to his head and said something about killing himself. He then goes to drive away and his car went up on the curb but he didn't hit anyone. He avoided the guy who was beating him up and drove off. This is what led up to where I saw him (suspect of grey/silver car).

The only other conversation was with [REDACTED] on 'Facebook' and I sent you the emails. I've talked to my family and friends but they're not involved. I just basically told them what I saw. The first person I told was my client [REDACTED]
[REDACTED]

This concluded my interview with [REDACTED] over the telephone.

Reporting Detective D. WARRICK

I.D. 4199

Homicide Team: V

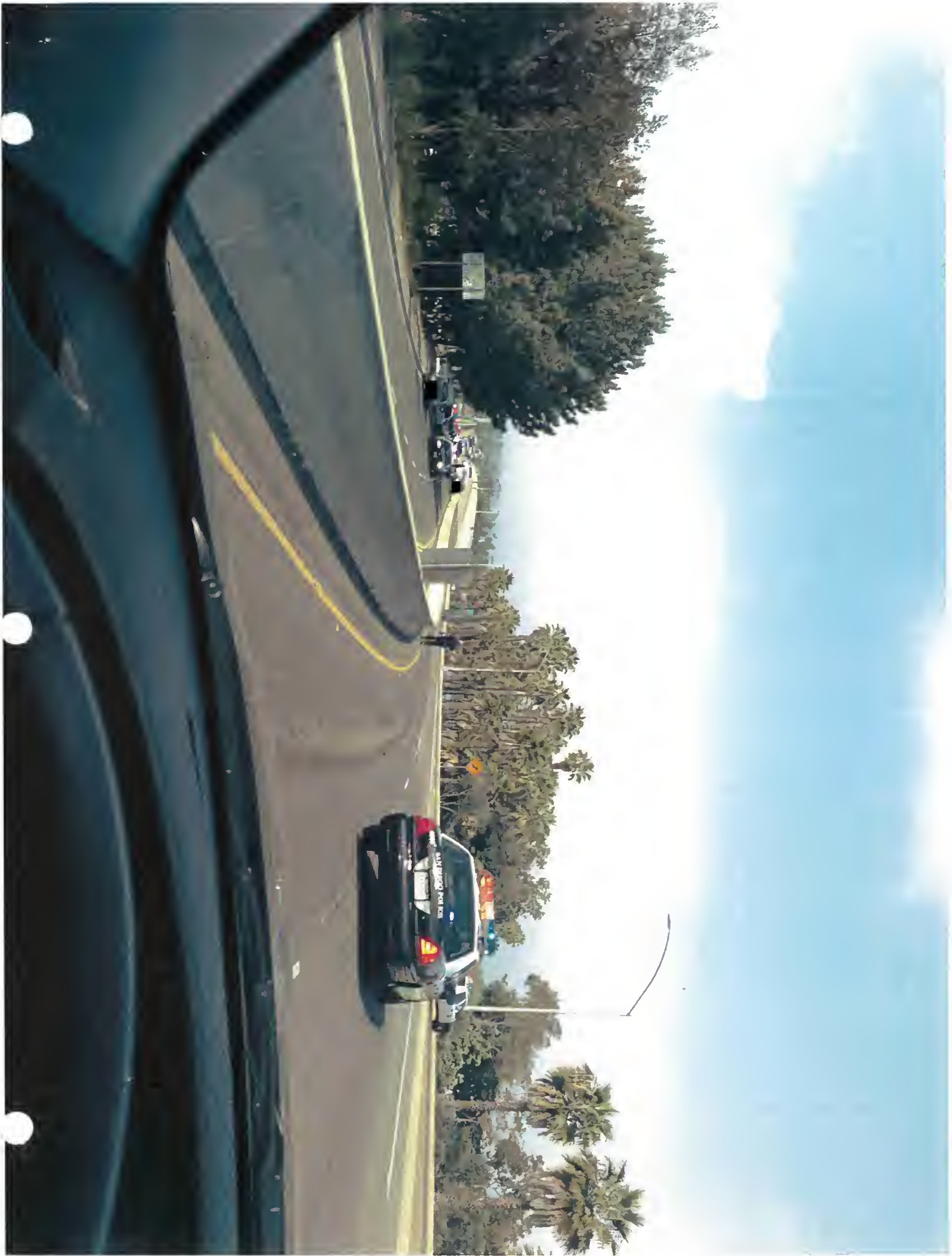
Approved by: [REDACTED]

4754

Date of this report: 06-04-13

Time: 1100 Hrs.

06/11/13







on mobile

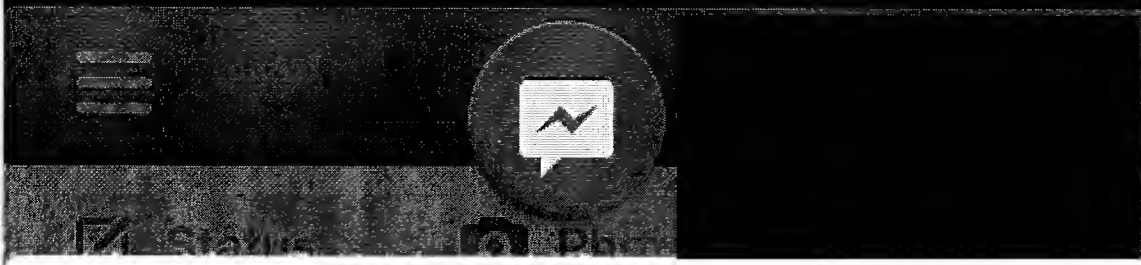
Sat, 7:47 PM

Hi 


I witnessed the shooting too. I was on the opposite side. First car behind the police car. It was so disturbing. I left as soon as traffic started passing on the opposite side only because I had clients scheduled in my office and didn't want to be late. I did call in and the deactivate who called me back said they have tons of witnesses. I saw just about everything and assumed the man was holding a gun especially since weapons were drawn on him. It's so sad. I wish he would have just done what he was asked however according to the officer I spoke with the man had been popping pills and was




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on mobile

the officer I spoke with the man had been popping pills and was depressed. Anyways I feel your pain. Also looks like your friends with  Small world!

 Thanks for the message! Yeah I managed to film the whole thing on my phone and it appears that it's the primary evidence in the shooting. I'm glad I could help but it was very frightening. Never seen anything that violent or scary before.

Me neither! Never have I seen someone get killed. Honestly I knew he was dead when he was on the ground. It took them a few minutes to give CPR.. Maybe because they already knew he



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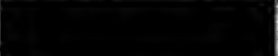


on mobile

scary before.

Me neither! Never have I seen someone get killed. Honestly I knew he was dead when he was on the ground. It took them a few minutes to give CPR.. Maybe because they already knew he was not going to make it.

Yeah I thought that was pretty crazy. It was 5-10 minutes before they started CPR

Ok so maybe that was just to save face... To look like they were trying to revive him. Idk anyways, nice chatting with u. If you ever need to talk about it I'm here. 

✓ Seen Sat, 8:56 PM

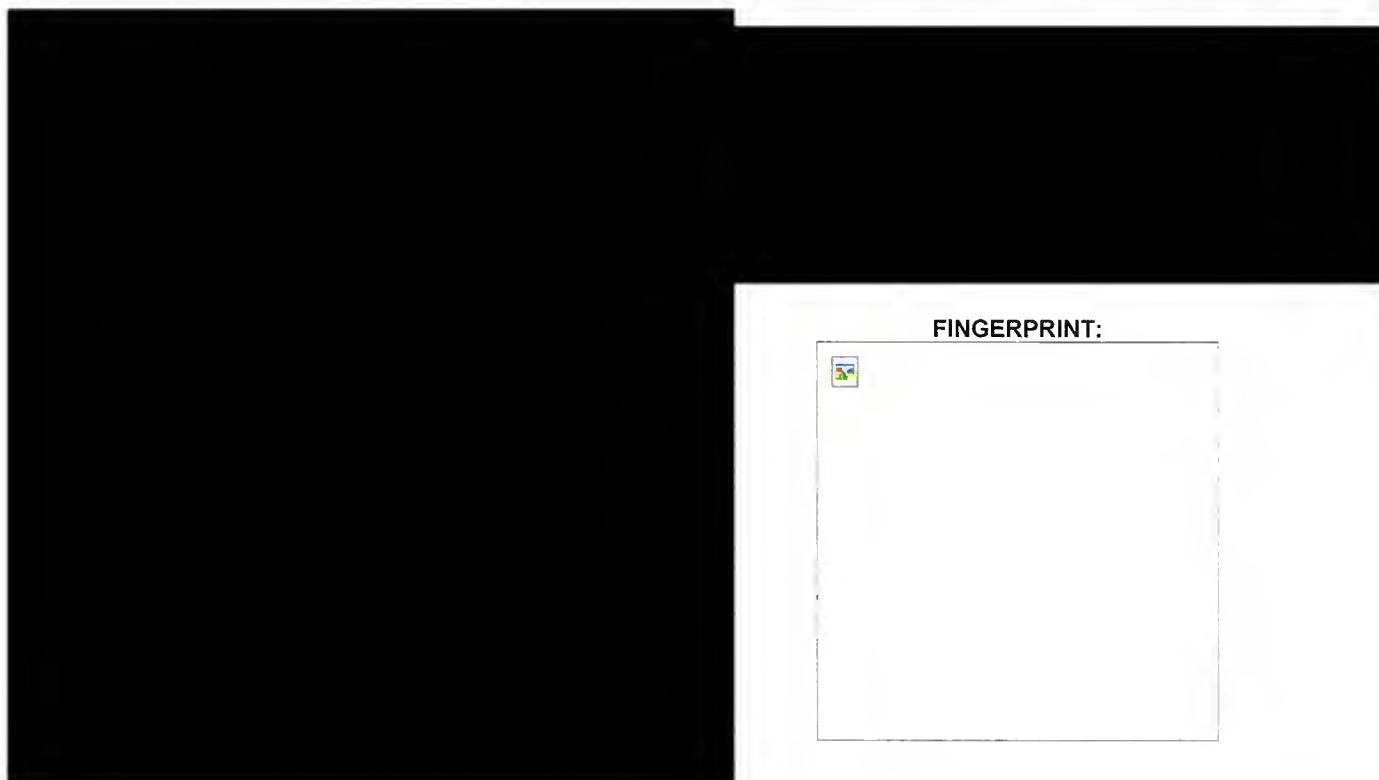


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This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date: _____ /s/ _____

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: TAGABAN, Esmeralda
SDPD Officer, ID# 5794
Western Division, A/Sergeant
1st Watch 0600-1600
[REDACTED]

WITNESS STATEMENT:

On June 1, 2013, at 0945 hours, I received a phone call from Homicide Detective Sergeant Manny DEL TORO (4754) asking me to respond to the area of Sunset Cliffs Blvd and Sea World Dr regarding an officer involved shooting (OIS) investigation. I arrived at the location at 1035 hrs.

At approximately 1100 hours, after the entire Homicide Team V arrived, Acting Sergeant TAGABAN (5794) briefed us on the OIS incident that occurred at 100 Sea World Drive. At the conclusion of the briefing, Sgt. DEL TORO directed me to interview A/Sgt. TAGABAN who was at Western Division located at 5215 Gains St.

At approximately 1429 hours, I interviewed A/Sgt. TAGABAN. The interview was digitally recorded in its entirety and lasted approximately seventeen minutes. My documentation is not intended to be a word for word account of our conversation, but it is an accurate summary of what A/Sgt. TAGABAN told me in response to my questions. The conversation was audio recorded and is stored on a disc. The disc will be filed with the evidence associated with this case. In essence, A/Sgt. TAGABAN stated the following in response to my questions.

I responded to [REDACTED] this morning regarding a man with a gun occurring now. I arrived at the location to assist with the call when I heard Officer CARPENTER (5429) put out on the radio he was behind a possible vehicle with the suspect driving north bound Sunset Cliffs passing Dusty Rhodes Park. I advised dispatch I would be responding to assist Officer CARPENTER on his stop from [REDACTED]. While enroute to the location, I heard over the radio officers stopped the vehicle at north bound 100 Sea World Dr and were conducting a Hot Stop. I arrived at the location within a few minutes and saw officers at Officer CARPENTER's vehicle giving commands. I parked my vehicle behind the last vehicle in line and took a position of cover behind my vehicle during the entire Hot Stop.

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I could see the suspect, Giacomo CARGNONI was not following orders as Officer CARPENTER was yelling out the commands. CARGNONI kept going in and out of his vehicle as if he did not care. At the same time I saw CARGNONI moving around his vehicle, I saw Officer BUTERA (5876) park his police vehicle in the south bound lanes of 100 Sea World Dr to stop traffic from going into the line of fire. Officer BUTERA exited his vehicle and walked over to take a position of cover behind a center medium wall across from where CARGNONI was standing.

I saw CARGNONI again run around his vehicle to the front passenger door and opened it. Officer CARPENTER was yelling at CARGNONI to stop, but he just kept ignoring the orders and doing what he wanted to do. I felt the actions CARGNONI was displaying were combative and dangerous since earlier reports stated he had a gun at [REDACTED]
[REDACTED]

I saw CARGNONI lean inside the front passenger door without actually going inside and rummaged through the seat and flooring. CARGNONI then ran to the back of his vehicle, opened the trunk, and began rummage through the bottom for something. CARGNONI stopped and then went back to the front passenger door to lean back inside. This time, CARGNONI popped out with something in his hands and pointed it at officers as if he had a handgun. I immediately heard a gunshot from the direction of Officer BUTERA, who was still behind the center medium. I saw CARGNONI fall down the embankment, away from his vehicle, and onto his knees. I could tell he was hit because of the blood on his shirt. I saw CARGNONI stand back up and walked back toward the officers when again I heard another gunshot coming from Officer BUTERA'S side. I did not see Officer BUTERA shoot either time, but I knew the gunshots came from his direction. CARGNONI immediately fell to the ground and laid on his back until officers approached him to render first aid.

I feel the officers did a good job working with CARGNONI. They tried to make him follow orders, but he kept moving around and going in and out of the vehicle. This was dangerous since I felt he was going for a gun each time.

A/Sgt. TAGABAN had no additional information to offer and I concluded my interview at 1446 hours.

Reporting Detective: Gary Garzales

I.D. 5328

Homicide Team: V

Approved by: [REDACTED]

4754
Date of this report: 08-08-13

Time: 1700

08/15/13

#6201
OFFICER GUDON
CASE #: 13-021570
245 P.C.

MAJOR CRIME BRIEFING SCRIPT

(Homicide, Robbery, Sex Crimes, child Abuse Units)

I am (rank/ID#/unit) ASGT. TAGABAN 5794
At 0912 hours, San Diego Police Communications received a call from (name/address/phone#):
[REDACTED]

The call was entered in Communications at 0912 hours.
The call was dispatched at 0912 hours. The incident number is 13060000530
The call originally came in as a (type) 417 P.C. - WITH GUN on Beat # 614
At (address) [REDACTED]

Weather conditions at the time of the incident were (clear/rain/foggy, etc) CLEAR
The approximate temperature at the time of the incident was 65°
Officer(s) was/were the first officer(s) on the scene, arriving at 0918 hours

Name	ID#	Unit #
<u>DAN CARPENTER</u>	<u>5429</u>	<u>618J1</u>
<u>JEFF MARTINEZ</u>	<u>5668</u>	<u>613B1</u>
<u>BRADFORD GREEN</u>	<u>6820</u>	<u>614B1</u>
<u>RICK BUTERA</u>	<u>5876</u>	<u>621B1</u>

The victim has been identified as (name/address/dob/race/sex/height/weight, etc.)
SUSPECT CARGNONI JAMES GIACOMO / DOB: 10/9/91 / [REDACTED]
Infant death - Primary caregiver during incident was (name/address/phone #/dob/race/sex, etc.) 5/10/160

Paramedic Unit # 20 Engine Co # 20 transported the victim to UCSD
Paramedic #1 ADAM SWEAT ID # AS9502
Paramedic #2 DENNIS CREAMER ID # DC3076 / SIMMON KOCH # SK4352
Officer KRISTOPHER SPENCER ID # 6811 rode/went to the hospital with the victim and did/did not obtain a statement from the victim. The victim's statement, if any, is:

The victim was pronounced dead by: Dr. GORAT at 1044 hours

The victim is/was located: (describe scene, position of body, wounds if known and possible weapon)
SUSPECT ON BACK W/ HEAD FACING S/B, FEET FACING N/B.
BOKNIFE ON GROUND. GUNSHOTS TO MURDERATION

Initial information/interviews have revealed the following scenario/scene conditions:
SUSPECT SHOWED UP AT HIS FRIENDS RESIDENCE ASLEEP
ON THE FLOOR. Woke up & CONFRONTED SUSPECT ABOUT
STEALING HIS CREDIT CARD. A PHYSICAL ALTERCATION OCCURRED
ENSUED BETWEEN SUSPECT & SUSPECT PRODUCED
A BOX CUTTER DURING THE FIGHT. SUSPECT FLED
RESIDENCE. FOLLOWED THE SUSPECT OUT.

(Over)

OFF. MICHAEL
KELLINGTON #6384 / 61501
SCT. NICK BORELL 4584 - 62151
A/S. EMERALDA TAGABAW #574 - 61251

NARRATIVE

SUSPECT WENT TO HIS GRAY VOLKSWAGON VEHICLE & PRODUCED A HANDGUN & POINTED IT AT [REDACTED] NEIGHBOR NAMED [REDACTED] WERE RETURNING FROM HAVING COFFEE WHEN THEY HEARD THE ALTERCATION BETWEEN THE SUSPECT & [REDACTED] & FRIEND NAMED [REDACTED] HAD THE HANDGUN POINTED TO THE BACK OF [REDACTED] NICK & THE HANDGUN MADE CONTACT WITH THE BACK OF [REDACTED] HEAD, [REDACTED] TOLD SUSPECT IF HE HAD THE GUN HE BETTER USE IT. THE SUSPECT FLED N/B IN HIS VEHICLE ON SUNSET CLIFFS BVD. OFF. CARPENTER LOCATED THE SUSPECT & AILED THE LOCATION & VEHICLE PLATE. OFFIS MARTINEZ, GREEN & BUTERA ARRIVED TO ASSIST ALONG W/ SGT. BORELL. I ARRIVED ONSCENE TO OBSERVE THE SUSPECT NOT COMPLY WITH OFFICERS VERBAL COMMANDS. SUSPECT KEPT GOING INTO THE PASSENGER'S TRUNK & BACK TO PASSENGERS AS IF LOOKING FOR SOMETHING. THE SUSPECT CAME UP AFTER RUMMAGING IN THE PASSENGER'S SIDE & SIMULATED HAVING A HANDGUN & POINTED IT AT THE OFFICERS. I HEARD 1 SINGLE GUNSHOT & SAW THE SUSPECT STUMBLE & FALL DOWN. I SAW HIM STAND UP AGAIN WHILE OFFICERS CONTINUED TO GIVE THE SUSPECT VERBAL ORDERS TO STAY DOWN. THE SUSPECT CAME U AGAIN BRINGING BOTH HANDS FROM WAIST AREA & WALKED TOWARD THE OFFICERS SIMULATING A WEAPON. A SECOND GUNSHOT STRUCK THE SUSPECT IN

→

NARRATIVE

THE TORSO AREA. I OBSERVED THE SUSPECT FALL DOWN ONTO ITS BACK & WAS HANDCUFFED & SECURED. THE OFFICERS IMMEDIATELY BEGAN CPR EFFORTS.

1. 10/10/17

1. The first part of the exam was on the topic of the environment. It was a multiple choice question. The question was: "Which of the following is not a part of the environment?" The options were: (a) Air, (b) Water, (c) Land, (d) None of the above. The correct answer was (d) None of the above.

OFF
CUDON
4

Priority witnesses are: (name/address/phone/current location)

VICTIM: [REDACTED]
AP: [REDACTED]
WITNESS: [REDACTED]
WITNESS: [REDACTED]
WITNESS: [REDACTED]

The suspect(s) is/are described as follows: (Name/address/dob/race/sex/height/weight, etc.)

CARGONI JAMES GIACOMO / DOB: 10/9/91

BRO/HKZ. 5'10" / 160.

CDL: [REDACTED]

VEHICLE [REDACTED]

The suspect vehicle is described as:

SP DARK GRAY VOLKSWAGON
CHECK LIST

1. ☒ Scene containment, protection of evidence, time perimeter established at _____ hours.
(LIMIT ACCESS INTO AND OUT OF THE SCENE. LEAVE SCENE INTACT UNTIL ARRIVAL OF INVESTIGATORS; do not drain water from tubs, sinks, etc. Protect locations where latent prints may possibly be found, etc.).
2. ☒ Insure scene perimeter is large enough, taking into account the type of case (consider escape route of suspect).
3. ☒ Neighborhood witness check completed.
4. ☒ Identify, isolate and interview all witnesses.
5. ☒ Document the witness search.
6. ☒ Attempt to identify the suspect.
7. ☒ Broadcast all units if necessary.
8. ☒ Conduct a follow-up investigation.
9. ☒ Record all license plates in the area of the scene.

Follow-up Investigation: (Describe what steps were taken to identify and arrest suspects.)

Are there any questions?

Maintain control of the scene until the scene is released to the investigator. Do not release the scene prior to the arrival of an investigator without the approval of an investigator.

Control of the scene was relinquished to SGT M. DEL TORO at 1120 hours.

How may we be of further assistance?

SAN DIEGO POLICE DEPARTMENT HOMICIDE SCENE ROSTER/SUMMARY REPORT

Location: 100 SEA WORLD DR. Date: 06/01/2013 Time: 1937 Beat: 614/123

INCIDENT NUMBER: 13060000530

Suspect(s): CARGNONI, GIACOMO JAMES

Victim(s): _____

Sgt./Lt.: BORELLI

ID 4584
4510

Scribe: CARPENTER

ID#: 5429

LT MAYER
ASST TAGABON #5794

CAPT MILLS #3522

SERGEANT'S CHECK LIST

1. ☒ SCENE CONTAINMENT, PROTECT EVIDENCE. TIME PERIMETER ESTABLISHED 1930 HRS.
2. ☒ INSURE SCENE IS LARGE ENOUGH (CONSIDER ESCAPE ROUTE OF SUSPECT).
3. ☒ NEIGHBORHOOD CHECK.
4. ☒ IDENTIFY, ISOLATE AND INTERVIEW ALL WITNESSES.
5. ☐ DOCUMENT WITNESS SEARCH.
6. ☐ ATTEMPT TO IDENTIFY THE SUSPECT.
7. ☐ BROADCAST ALL UNITS IF NECESSARY.
8. ☐ CONDUCT A FOLLOW UP INVESTIGATION WHENEVER POSSIBLE.
9. ☐ RECORD ALL LICENSE PLATES IN SCENE AREA.
10. ☐ PREPARE A LIST OF KEY WITNESSES TO DISCUSS DURING HOMICIDE BRIEFING.
11. ☐ REVIEW AND APPROVE ALL REPORTS FROM PATROL OFFICERS AT SCENE (HEADING ON REPORTS).
12. ☐ COMPLETE THE HOMICIDE ROSTER REPORT FORM.

MPD 20

ENGINE 20

TO UCSB
1144/1015

UNIT RESPONSE AND ASSIGNMENT

1ST OFFICER/UNITS ON SCENE:

1. CARPENTER
2. MARTINEZ

ID# 5429
ID# 5668

3. KELLINGTON
4. GREEN

ID# 6384
ID# 6820

OFFICER'S ENTERING SCENE:

* 1. BUTERA
3. SPENCER
5. _____

ID# 5876
ID# 6811
ID# _____

2. RADASA
4. _____
6. _____

ID# 6822
ID# _____
ID# _____

OFFICER'S AT SCENE:

NAME

ID#

UNIT

ARJIS 9

SCENE ASSIGNMENT

1.	<u>CARPENTER</u>	<u>5429</u>	<u>61851</u>		<u>SCRIBE</u>
2.	<u>RADASA</u>	<u>6522</u>	<u>62551</u>		<u>ASSIST MEDICS / TRAFFIC CONTROL</u>
3.	<u>MARTINEZ</u>	<u>5668</u>	<u>61381</u>		<u>ASSIST MEDICS</u>
4.	<u>SPENCER</u>	<u>6811</u>	<u>62751</u>		<u>SET UP PERIMETER TO HOSPITAL</u>
5.	<u>HOWARD ESTRADA</u>	<u>6962</u>	<u>61581</u>		<u>TRAFFIC CONTROL</u>
6.	<u>OTT</u>	<u>6252</u>	<u>61181</u>		<u>TRAFFIC CONTROL</u>
7.	<u>Burrelli, Nicholas</u>		<u>6225</u>		
8.	<u>TAGABON, ESMERALDA</u>				
9.	<u>Green, Bradley</u>	<u>6820</u>			
10.					
11.					
12.					
13.					
14.					
15.					

FIRE UNIT # 1. 20 2. _____ 3. _____

WITNESS CHECK/DETENTION

	NAME	DOB	SS #	ADDRESS AND PHONE	OFFICER	ID #
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						

NARRATIVE

SGT / LT _____ ID # _____

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

ENC# 13060000530

PAGE 1 OF 2	CASE NUMBER
MONTH JUN	DAY 1
YEAR 2013	DAY OF WEEK SAT
BEAT	DISTRICT 0912

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

LOCATION OF INCIDENT (OR ADDRESS)

SAN DIEGO

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

CARGNONI, GIACOMO

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

ON 6-1-13, AT ABOUT 0915 HOURS, OFFICER E. PEREGRINA #5827 AND I RESPONDED TO THE AREA NORTH OF [REDACTED] TO CHECK THE AREA FOR A SUSPECT IN A DISPLAYING A FIREARM INCIDENT, WHILE IN THE AREA, OTHER OFFICERS FOUND A VEHICLE MATCHING THE SUSPECTS VEHICLE AND STOPPED IT ON THE NORTHBOUND SIDE OF SUNSET CLIFFS BL JUST NORTH OF THE SAN DIEGO RIVER.

I HEARD OVER DISPATCH THE SUSPECT WAS NOT COMPLIANT AT THE STOP AND THEN HEARD OFFICERS ADVISE SHOTS WERE FIRED JUST AS WE ENTERED THE BRIDGE FROM THE SOUTH, I STOPPED OUR VEHICLE ON THE BRIDGE AND OFFICER PEREGRINA AND I CLEARED THE STOPPED VEHICLE FROM BEHIND THE SCENE, OFFICER S. OTT #6252 HAD THE BRIDGE BLOCKED AT THE SOUTH END, WHEN WE CLEARED THE BRIDGE, WE WERE RELEASED FROM THE SCENE.

AT ABOUT 0954 HOURS, OFFICER PEREGRINA AND I RESPONDED TO THE INITIAL SCENE AT [REDACTED] TO HELP OFFICER S. GUDDY #6301 WITH WITNESSES, AFTER THE HOMICIDE UNIT SPOKE TO THOSE WITNESSES, WE WERE RELEASED FROM THAT SCENE.

REPORTING OFFICER

I.D. #

DIVISION

APPROVED BY:

MONTH

DAY

YEAR

TIME

DATE OF REPORT:

D. CAMPBELL

693

WMTT

ARJIS-9 (REV. 9-84)

CONTINUED ☐



**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

INC#: 13050000530

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

PAGE 1 OF 2		CASE NUMBER	
MONTH 06	DAY 01	YEAR 2013	DAY OF WEEK SAT
LOCATION OF INCIDENT (OR ADDRESS) 100 SEA WORLD DRIVE		CITY SAN DIEGO	BEAT 123
PERSON(S) INVOLVED: VICTIM		PROPERTY TAG NO. (S)	

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)
7 PC - PERSON WITH A WEAPON

100 SEA WORLD DRIVE

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

On 06-01-13 AT ABOUT 0930 HOURS, I RESPONDED TO A RADIO CALL OF A PERSON WITH A GUN. DISPATCH NOTIFIED ME THE SUSPECT FLED THE SCENE, AND OFFICER CARMENTER HAD LOCATED THE VEHICLE TRAVELLING NORTH ON SEA WORLD DRIVE.

I ARRIVED ON THE BRIDGE JUST SOUTH OF THE 100 BLOCK OF SEA WORLD DRIVE, WHERE A HOT-STOP WAS ALREADY IN PROGRESS. I BEGAN DIRECTING MOTORISTS TO REMAIN IN THEIR VEHICLES WHEN I HEARD ONE SHOT FIRED. I WAS ABOUT 100 YARDS FROM THE HOT STOP WHEN I HEARD A SECOND SHOT.

I DIRECTED MOTORISTS ON THE BRIDGE TO TURN AROUND AND FOLLOW THE DIRECTIONS OF OFFICERS AT THE CORNER OF THE INTERSTATE 8 WEST OFF RAMP AND SUNSET CLIFFS BLVD.

I THEN TOOK UP A TRAFFIC POST AT SOUTH BOUND SEA WORLD DRIVE AND WEST MISSION BAY BLVD. OFF RAMP. I MAINTAINED THAT POST UNTIL APPROXIMATELY 1715 HOURS.

REPORTING OFFICER	I.D. #	DIVISION	APPROVED BY:	DATE OF REPORT:	MONTH	DAY	YEAR	TIME
A.L. ESTRADA	6962	W1	Bonelli 4581		06	02	13	0650



NOT USED

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☒ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

PAGE 1 OF 1 CASE NUMBER 13-021595

SECTION AND DESCRIPTION (ONE INCIDENT ONLY) MONTH DAY YEAR DAY OF WEEK TIME

LOCATION OF INCIDENT (OR ADDRESS) CITY BEAT DISTRICT

100 SEA WORLD SAN DIEGO SAT 123

PERSON(S) INVOLVED: VICTIM SUSPECT (IF NAMED) PROPERTY TAG NO. (S)

CARGNONI, GIACOMO

OFFICER'S REPORT

ON 06/01/13 AT 0912 HOURS, I RESPONDED TO AN OFFICER INVOLVED SHOOTING AT 100 SEA WORLD DRIVE.

I ASSISTED WITH TRAFFIC CONTROL AT INGRAHAM AND SEA WORLD FOR ABOUT AN HOUR UNTIL IT WAS NO LONGER NECESSARY.

AT 1420 HOURS I THEN WENT TO 100 SEA WORLD PL TO ASSIST OFFICERS WITH SCENE SECURITY AND TRAFFIC CONTROL. I IMPOUNDED THE SUSPECT'S VEHICLE (CA [REDACTED]) AT DETECTIVE LEHEY'S REQUEST. I WENT TO TRAFFIC DIVISION WITH THE TOW TRUCK AND VEHICLE AND HAD IT PLACED IN THE HOMICIDE GARAGE.

REPORTING OFFICER	I.D. #	DIVISION	APPROVED BY:	DATE OF REPORT:	MONTH	DAY	YEAR	TIME
MARGOLU	6492	W/1	Bonelli		06	01	13	1300



**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☒ CRIME
☐ OTHER _____

PAGE 1 OF 2 CASE NUMBER 13-02570

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)	MONTH 06	DAY 01	YEAR 13	DAY OF WEEK SAT	TIME
LOCATION OF INCIDENT (OR ADDRESS)				CITY	DISTRICT
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED) CARGNONI, GIACOMO		PROPERTY TAG NO. (S)	

ON 06/01/13 AT 0922 HOURS, I ASSISTED UNITS WITH AN OFFICER INVOLVED SHOOTING THAT HAD ORIGINATED AT [REDACTED] (INC# 13060000530). TO PRESERVE THE SCENE, I DIVERTED ALL NORTHBOUND TRAFFIC OF WEST MISSION BAY DRIVE ELSEWHERE AND DID NOT ALLOW ANY TRAFFIC NORTHBOUND OVER THE BRIDGE. I MAINTAINED THE POST AT 8 WESTBOUND AT SUNSET CLIFFS BLVD FROM 0922 HOURS UNTIL I WAS RELIEVED AT 1121 HOURS.

REPORTING OFFICER CTT	I.D. # 0252	DIVISION W/1	APPROVED BY: Bonelli 4587	DATE OF REPORT:	MONTH 06	DAY 01	YEAR 13	TIME 1330
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BANK

☒ OFFICER'S REPORT ONLY
CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 2
INC# 13060000530
CASE NUMBER
DAY OF WEEK SAT
TIME
BEAT 614
DISTRICT

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)
MONTH 6 DAY 1 YEAR 13
LOCATION OF INCIDENT (OR ADDRESS) CITY SAN DIEGO
PERSON(S) INVOLVED: VICTIM SUSPECT (IF NAMED) CARGNONI, GIACOMO
PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

ON 6-1-13, AT ABOUT 0915, OFFICER CAMPBELL # 6193 AND I RESPONDED TO CHECK THE AREA FOR A SUSPECT WITH A FIREARM. WHILE ENROUTE OFFICERS ATTEMPTED TO STOP A VEHICLE MATCHING THE DESCRIPTION. OFFICERS CONDUCTED THE HIGH RISK VEHICLE STOP AT THE NORTH BOUND SIDE OF SUNSET CLIFFS.

WE HEARD OVER DISPATCH THAT THE SUSPECT WAS NOT COMPLIANT DURING THE STOP. AFTER A FEW SECONDS, OFFICER ADVISED SHOTS FIRED. OFFICER CAMPBELL STOPPED THE PATROL VEHICLE ON THE BRIDGE. I ASSISTED WITH CLEARING ALL THE VEHICLES THAT WERE STOPPED ON THE BRIDGE. OFFICER OTT # 6252 ASSISTED WITH BLOCKING TRAFFIC ON THE SOUTH END. WE WERE RELEASED FROM THE SCENE.

AT ABOUT 0954 HOURS, OFFICER CAMPBELL AND I RESPONDED TO THE INITIAL SCENE AT 1725 SUNSET CLIFFS TO ASSIST OFFICER GODOY # 6301. AFTER THE HOMICIDE UNIT SPOKE WITH ALL THE WITNESSES WE WERE RELEASED FROM THE SCENE

REPORTING OFFICER E. PEREGRINA I.D. # 5827 DIVISION W-1 APPROVED BY: [REDACTED] 1254
DATE OF REPORT: MONTH 6 DAY 1 YEAR 13
ARJIS-9 (REV. 9-84) CONTINUED ☒

NOT USED

Officer's Report: Incident #13060000530

Ricky Radasa #6522

On 6-1-2013 at approximately 09:25 hours, I responded to the 1000 block of Sea World Drive to assist officers with a violent subject, later identified as, Cargnoni Giacomo. Radio traffic on the call revealed a traffic stop was conducted on Giacomo, following an assault with a deadly weapon call in Ocean Beach. Officers on the call advised responding units that Giacomo was non-compliant and was seen reaching for a gun inside the vehicle. Officers engaged Giacomo and shots were ultimately fired.

Upon arrival, I drove in southbound (from the North) on Sea World Drive. I parked my SDPD patrol vehicle directly in front (to the south) of Officer Butera's police vehicle in the southbound lanes of 1000 Sea World Drive. I observed officers and police cars to the south and immediately ran toward them. As I approached, Officer Butera was walking back to his vehicle with a black shotgun. I quickly exchanged words with Officer Butera who told me he engaged Giacomo with his shotgun. I asked Officer Butera if he was ok, and he said, "Yeah, I'm good."

I ran up to the scene and saw Giacomo on the ground, handcuffed to the rear. Giacomo was face down in the prone position, with his head facing south. Next to Giacomo was a medium sized black and silver folding knife, which appeared to be approximately 5 feet to the Northwest of Giacomo's feet. Giacomo was breathing, his eyes were open and he was bleeding slightly from the chest in multiple areas. The bleeding seemed controlled.

Giacomo took a deep breath, which sounded like a gasping breath and stopped breathing. I immediately advised dispatch I was to begin performing CPR. Giacomo had a feathered pulse but was not responsive. I immediately began chest compressions. Upon onset of chest compressions, blood from Giacomo's chest exited several of the holes in his chest. At this time, given the details of the incident, I attributed the holes to gunshots. I applied a white t-shirt (found on the ground and believed to be from Giacomo's open trunk) to Giacomo's chest to control the blood from exiting the holes. I continued chest compressions for approximately 10 minutes until San Diego Fire Department arrived and took over.

I remained at the scene for several hours and assisted with traffic and crowd control.

Approved:



4/5-84

- ☐ A CASE ADDITIONS
☐ D CASE DELETIONS
☐ C CASE CHANGES

SAN DIEGO REGIONAL
ADDITIONAL VICTIMS AND/OR WITNESSES
AND/OR OTHER PEOPLE ASSOCIATED WITH THE CRIME

PAGE	CASE NUMBER
OF	

LOCATION OF INCIDENT (OR ADDRESS)										CITY SAN DIEGO		BEAT 6014		DISTRICT				
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE																		
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP			
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							
<input checked="" type="checkbox"/> V <input type="checkbox"/> DC <input type="checkbox"/> RP	W-TYPE		VICTIM'S NAME (LAST, FIRST, MIDDLE/OR ORGANIZATION)				RESIDENCE ADDRESS				CITY		STATE		ZIP			
RESIDENCE PHONE			RACE		SEX		DATE OF BIRTH		ID TYPE		ID NUMBER		INTERPRETER REQUIRED		RELATION TO VICTIM		RESIDENT SD COUNTY	
STATUS			EMPLOYER (RANK IF MILITARY)				BUSINESS OR MILITARY ADDRESS				CITY		STATE		ZIP		DAYS OFF	
BUSINESS PHONE			ADDITIONAL INFORMATION (VICTIM VEHICLE INFORMATION, IF APPLICABLE)				STATEMENT TAKEN				V/W ASSIST							

WITNESS TYPE:	01 Arresting Officer 06 Other Lay Witness 12 Other Expert 13 Investigator	RACE CODE	A = OTHER ASIAN B = BLACK C = CHINESE	D = CAMBODIAN F = FILIPINO G = GUAMANIAN	H = HISPANIC I = INDIAN J = JAPANESE	K = KOREAN L = LATVIAN D = OTHER	P = PACIFIC ISLANDER S = SAMOAN	U = HAWAIIAN V = VIETNAMESE W = WHITE	Z = ASIAN INDIAN	STATUS:	E - Employed U - Unemployed S - Student N - Non-Salaried Work

REPORTING OFFICER SPENCER	ID NUMBER 60811
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SAN DIEGO REGIONAL ADDITIONAL SUSPECT(S) REPORT

- ☐ A CASE ADDITIONS
☐ D CASE DELETIONS
☐ C CASE CHANGES

PAGE	OF
CASE NUMBER	

LOCATION OF INCIDENT (OH ADDRESS)		CITY	BEAT	DISTRICT
ARRESTED SUSPECT - (LAST, FIRST, MIDDLE)				
FACE	SEX	AGE	DOB	HT.
WT.	BUILD	HAIR COLOR	EYE COLOR	
SUSPECT'S ADDRESS				
CITY	STATE	ZIP	PHONE	ID TYPE
SUSPECT'S CLOTHING				

HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE
UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	SUSPECT
1 BALD	1 AFRO/NAT.	1 CLEAN SHAVE	1 ACNE	1 CASUAL	1 ANGRY	1 ACCENT	0 UNKNOWN
2 COLLAR	2 BRAIDED	2 FULL BEARD	2 DARK	2 DIRTY	2 APOLOGETIC	2 LIPS	2 DISGUISED
3 LONG	3 BUSHY	3 FU MANCHU	3 FRECKLED	3 DISGUISE	3 CALM	3 MUMBLES	3 LOUD
4 NECK	4 GREASY	4 GOATEE	4 LIGHT	4 FLASHY	4 DISORGANIZED	4 OFFENSIVE	4 LOW PITCH
5 SHORT	5 MILITARY	5 LOWER LIP	5 MEDIUM	5 GOOD-LOOKING	5 IRRATIONAL	5 QUIET	5 MEDIUM
6 SHOULDER	6 PONYTAIL	6 MUSTACHE	6 PALE	6 MILITARY	6 NERVOUS	6 RAPID	6 MONOTONE
7 COARSE	7 PROCESSED	7 NONE/FUZZ	7 POCKED	7 UNKEMPT	7 POLITE	7 SLOW	7 NASAL
8 THICK	8 STRAIGHT	8 SIDEBURNS	8 RUDDY	8 UNUSUAL ODOR	8 PROFESSIONAL	8 STUTTERS	8 PLEASANT
9 THINNING	9 WAVY / CURLY	9 UNSHAVEN	9 SALLOW	9 WELL GROOMED	9 STUPOR	9 TALKATIVE	9 RASPY
10 OTHER:	10 WIG	10 VAN DYKE	10 TANNED	10 OTHER:	10 VIOLENT	10 OTHER:	10 SOFT
11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:
SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT

HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE
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6 SHOULDER	6 PONYTAIL	6 MUSTACHE	6 PALE	6 MILITARY	6 NERVOUS	6 RAPID	6 MONOTONE
7 COARSE	7 PROCESSED	7 NONE/FUZZ	7 POCKED	7 UNKEMPT	7 POLITE	7 SLOW	7 NASAL
8 THICK	8 STRAIGHT	8 SIDEBURNS	8 RUDDY	8 UNUSUAL ODOR	8 PROFESSIONAL	8 STUTTERS	8 PLEASANT
9 THINNING	9 WAVY / CURLY	9 UNSHAVEN	9 SALLOW	9 WELL GROOMED	9 STUPOR	9 TALKATIVE	9 RASPY
10 OTHER:	10 WIG	10 VAN DYKE	10 TANNED	10 OTHER:	10 VIOLENT	10 OTHER:	10 SOFT
11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:
SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT

HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE
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3 LONG	3 BUSHY	3 FU MANCHU	3 FRECKLED	3 DISGUISE	3 CALM	3 MUMBLES	3 LOUD
4 NECK	4 GREASY	4 GOATEE	4 LIGHT	4 FLASHY	4 DISORGANIZED	4 OFFENSIVE	4 LOW PITCH
5 SHORT	5 MILITARY	5 LOWER LIP	5 MEDIUM	5 GOOD-LOOKING	5 IRRATIONAL	5 QUIET	5 MEDIUM
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7 COARSE	7 PROCESSED	7 NONE/FUZZ	7 POCKED	7 UNKEMPT	7 POLITE	7 SLOW	7 NASAL
8 THICK	8 STRAIGHT	8 SIDEBURNS	8 RUDDY	8 UNUSUAL ODOR	8 PROFESSIONAL	8 STUTTERS	8 PLEASANT
9 THINNING	9 WAVY / CURLY	9 UNSHAVEN	9 SALLOW	9 WELL GROOMED	9 STUPOR	9 TALKATIVE	9 RASPY
10 OTHER:	10 WIG	10 VAN DYKE	10 TANNED	10 OTHER:	10 VIOLENT	10 OTHER:	10 SOFT
11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:	11 OTHER:
SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT	SUSPECT

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☐ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.

FROM ☐ CRIME

☐ OTHER _____

INC # 13-060000530

PAGE _____ OF _____ CASE NUMBER _____

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH

6

DAY

1

YEAR

13

DAY OF WEEK

SAT

TIME

LOCATION OF INCIDENT (OR ADDRESS)

CITY

BEAT

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

ON 6-1-13, I RESPONDED TO THE AREA OF 3100 SUNSET CLIFFS BOULEVARD TO ASSIST WITH AN OFFICER INVOLVED SHOOTING. I ARRIVED ON SCENE AND SPOKE WITH A WITNESS TO THE SHOOTING.

STATEMENT OF [REDACTED] (WITNESS):

[REDACTED] WAS DRIVING IN THE NUMBER TWO LANE OF NORTH BOUND 3100 SUNSET CLIFFS BLVD WHEN TRAFFIC CAME TO A STOP. THERE WAS A POLICE VEHICLE IN FRONT OF HIM, THEN A CIVILIAN VEHICLE, THEN SEVERAL MORE POLICE VEHICLES. OFFICERS WERE POINTING THEIR GUNS AND YELLING AT A WHITE MALE WHO HAD JUST GOT OUT OF A VEHICLE AHEAD OF THEM. THE MALE DIDNT LOOK LIKE HE WAS COMPLYING AND WAS BOUNCING AROUND THE CAR, GOING BACK AND FORTH FROM THE DRIVER'S SIDE TO THE PASSENGER'S SIDE. THE MALE BENT DOWN INTO THE PASSENGER SIDE AND THEN CAME OUT, STOOD UP, AND POINTED HIS HANDS WITH HIS ARMS EXTENDED AS IF HOLDING A GUN TOWARDS THE OFFICERS. [REDACTED] COULDN'T SEE A GUN BUT STATED "IF IT WASN'T A GUN, HE DEFINITELY MADE IT SEEM LIKE A GUN. FOR SURE. NO QUESTION."

SHORTLY AFTER THE MALE POINTED HIS HANDS TOWARDS THE OFFICERS, AN OFFICER SHOT THE MALE ONE TIME. THE MALE STAGGERED TO THE GROUND AND THEN ROLLED. HE THEN GOT BACK UP.

REPORTING OFFICER

I.D. #

DIVISION

APPROVED BY:

MONTH

DAY

YEAR

TIME

DATE OF REPORT:

6

1

13

1330

REASSUMED THE STANCE WITH HIS HANDS POINTED AT THE OFFICERS AND TOOK A COUPLE STEPS TOWARDS THE OFFICERS. THE MALE WAS SHOT AGAIN, FELL TO THE GROUND, AND DIDN'T MOVE. [REDACTED] DID NOT HEAR THE SUSPECT SAY ANYTHING. HE DESCRIBED THE MALE AS HAVING DARK HAIR, WEARING JEANS WITH NO SHIRT.

I ACCOMPANIED MEDIC #20 AS THEY TRANSPORTED THE SUSPECT TO UCSD HOSPITAL (MEDICS VARNER #11104, PHANE #115344, AND KAREY #1838). THE SUSPECT WAS TAKEN TO OPERATING ROOM #11 WHERE HE WAS PROUNOUNCED DEAD AT 10:15 HOURS BY DR. GORDAT.

AT 1100 HOURS, MEDICAL EXAMINER MALAMATOS #16 ARRIVED ON SCENE AND AT 1300 HOURS, HE SEALED THE BODY WITH A RED SEAL #2390736.

**SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE**

☒ OFFICER'S REPORT ONLY

CONTINUED: ☐ ARR./JUV.CON.
FROM ☐ CRIME
☐ OTHER _____

PAGE 1 OF 1 CASE NUMBER 13-021595

SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH 06 DAY 01 YEAR 13 DAY OF WEEK SAT TIME 0912

LOCATION OF INCIDENT (OR ADDRESS)

100 SEA WORLD DR.

CITY

SAN DIEGO

BEAT

123

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

CARGNONI, GIACOMO

PROPERTY TAG NO. (S)

OFFICER'S STATEMENT:

ON 06-01-13 AT 0928 HOURS, I RESPONDED TO AN OFFICER INVOLVED SHOOTING THAT INITIATED AT [REDACTED]

I ARRIVED ON SCENE AT THE CORNER OF SUNSET CLIFFS BLVD. AND NIMITZ BOULEVARD TO DIRECT TRAFFIC. AT 1109 HOURS I WAS RELIEVED BY R.S.V.P.S.

AT 1242 HOURS, I RESPONDED BACK TO THE SCENE AND AGAIN DIRECTED TRAFFIC. AT 1410 HOURS, I CLEARED THE SCENE.

REPORTING OFFICER

A. TAFAYA

I.D. #

6101

DIVISION

W-1

APPROVED BY:

Bonelli 4584

DATE OF REPORT:

MONTH

6

DAY

2

YEAR

13

TIME

1300



San Diego Police Department E911 Phone Log Report

240.00

	<u>Time</u>	<u>Postion</u>	<u>Dispatcher</u>
ALI Date/Time 6/1/2013 9:12:00	Received: 9:12:15	CT03	mmiran
Phone (ANI) [REDACTED]	Answered: 9:12:14	CT03	mmiran
	Duration: 0:05:54		

ALI:

Call Event Details

RCVD	3103	09:12:14
ANSW	3103	09:12:15
ESRN	[REDACTED]	
DIAL	3103	76883
CHLD	3103	09:12:56
CONF	3103	HOT CALL
DIAL	3103	CW_3451
DIAL	3103	C_
ESRN	[REDACTED]	
HUNG	3103	09:22:08
DISC	3103	09:22:08
RLSD		09:22:08
DURN	9 min 54 sec	

09:12:57

06/03/13 07:18:23 PRINT REQUESTED BY TERMINAL TAPR
Incident History for: #P13060000530 Xref: #P13060000682
Case Numbers: \$PR130021595
(Received 06/01/13 09:12:16 BY CT03 8309
Entered 06/01/13 09:12:54 BY CT03 8309
Dispatched 06/01/13 09:12:59 BY RC06 8613
Enroute 06/01/13 09:13:07
Onscene 06/01/13 09:14:30
Closed 06/02/13 15:31:22

Initial Type: 417
Final Type: 417 (THREATENING W/WEAPON) Pri: 1 Dispo: R
Police BLK: 0730100055330 FMap: 2019H2 TMap: 1267J7 Group: P6
Beat: 614 Src: 9 Inc Cmdr: 600C
Loc: [REDACTED] btwn [REDACTED] & [REDACTED]

Loc Info:

Name: [REDACTED] Addr: S Phone: [REDACTED]

/0912 (8309) NBRHD Ocean Beach
/0912 ENTRY DETAILS TO FOLLOW
/0912 (8613) DISP 614J1 #6301 GUD0Y, STEPHEN A
/0913 (8309) SUPP TXT: ** GUN**
/0913 (6301) *ENROUT 614J1
/0913 (8613) ASST 615B1 #6962 ESTRADA, AMANDA
/0913 ASST 612S1 #5794 TAGABAN, ESMERALDA
/0913 ASST 614B1 #6820 GREEN, BRADFORD
/0913 ASST 618J1 [REDACTED]
#5429 CARPENTER, JOHN D
(/0913 (5429) *ENROUT 618J1
, /0913 (6962) *ENROUT 615B1
/0913 (8613) MISC , HANDGUN MALE LEFT NB GRY VW 4DR..
/0914 (6820) *ENROUT 614B1
/0914 (5794) *ONSCNE 612S1
/0914 (8613) MISC , WM NO SHIRT SWTPANTS HAS BEEN STAYING IN AREA
/0914 ONSCNE 612S1
/0914 ASST 615J1 [REDACTED]
#6384 KELLINGTON, MICHAEL R
/0914 (6384) *ENROUT 615J1
/0915 (8613) MISC , RP IN [REDACTED]..WITH VICT..MALE HAD BEEN STAYING WITH
[REDACTED] THE VICT
/0915 MISC , USUALLY DOING COCAINE AND DRINKING
/0915 ASST 661Q [REDACTED]
#5827 PEREGRINA, EFREN
#6193 CAMPBELL, DOUGLAS R
/0916 MMISC , ** MALE IS GIACOMO CARGNONI ABOUT 24 YRS OLD
/0916 ASST 613B1 [REDACTED]
#5668 MARTINEZ, JEFFREY S
/0917 (8835) MMISC , 09:17:01 TO LDET FROM LD01: INCIDENT HISTORY FOR
: #P13060000530
/0917 (8613) MISC 612S1 , WILL CONTACT RP
/0917 (5668) *ENROUT 613B1
/0918 (8613) MISC 618J1 , NB SSC AT DUSTY RHODES PARK
/0918 (8835) SUPP TXT: AIRED COUNTY WIDE ON BLUE1//LD0 JG
'0918 (****) REMINQ 618J1 PLATE, [REDACTED]
(/0918 (8613) ASST 2937N1 [REDACTED]
#4161 MC LEOD, MICHAEL D
/0918 MMISC 618J1 , INSURANCE INFORMATION ON FILE REG VALID FROM: 11
/16/12 TO 11/16/13LIC#: [REDACTED] YRMD:12 MAKE:VOLK
BTM :SD VIN : [REDACTED] R/O :CARGNONI GIAC

OMO JAMES, [REDACTED] CITY: [REDACTED] C.
C.:37 ZIP#: [REDACTED]

/0919 (4161) *ENROUT 2937N1
'0919 (8613) ASST L5

#4510 MAYER, KEVIN R

/0919 (6820) *ONSCNE 614B1
'0919 (5429) *ONSCNE 618J1
'0919 (8613) MISC 618J1
'0920 MISC 614B1
'0920 MISC 614B1
'0920 ASSTOS 622S1

, SW SIDE YIELDING
, ** HOT STOP IN PROGRESS**
, 4 UTS HERE..

/0920 MISC 622S1
'0920 MISC 622S1
'0920 ONSCNE 614J1
'0921 MISC 613B1
'0921 MISC 614B1
'0922 MISC 622S1
'0922 MMISC 622S1
'0922 (8521) CHANGE
'0922 (8613) ASST 624K1

#4584 BORRELLI, NICOLAS
, GETTING HIM OUT OF VEH...COMPLYING
, C4 FOR UTS ON HOT STOP
, WILL CONTACT RP
, GOING FOR GUN
, BACK IN VEH LOOKS LIKE GOING FOR GUN
, NOT COMPLYING -- SHOTS FIRED
, SHOTS FIRED...SUSP DOWN
, MEDICS ENRT

/0922 ASST 611B1

#5945 GARREN, DAVID
#6890 COFFEE, ZHANETTE

/0922 MISC 612S1
'0923 MMISC 661Q
'0924 MMISC 614J1
'0924 MISC 622S1
'0925 NEWLOC 612S1
'0925 NEWLOC 622S1
'0926 (4161) *ONSCNE 2937N1
'0926 (8613) ASST 2942N1

#6252 OTT, STEPHANIE A
, VEH CLEARED
, LAST UTS BLOCK TRAFFIC SW BRIDGE
, WITH THE RP
, CLEAR LANE SO MEDICS CAN COME IN
[JSO SW DR W MISSION BAY EXIT]
[JSO SW DR W MISSION BAY EXIT]
[JSO SW DR W MISSION BAY EXIT]
#5179 MARCINIAK, CHARLES D
, AIRED 1022 BOL ON BLUE1//LD01 JG
, *** NO MORE TRAFFIC ONTO BRIDGE HEADING EB
[JSO SW DR W MISSION BAY EXIT]
[JSO SW DR W MISSION BAY EXIT]
[JSO SW DR W MISSION BAY EXIT]
[JSO SW DR W MISSION BAY EXIT]
#6101 TAFOYA, ANDREW
[NIMITZ/8 ON RAMP]
, WITH WITN HERE....
[JSO SW DR W MISSION BAY EXIT]

/0926 (8835) MMISC
'0927 (8613) MISC 622S1
'0927 NEWLOC 611B1
'0927 NEWLOC L5
'0927 NEWLOC 613B1
'0928 NEWLOC 613B1
'0928 ASST 613J1
'0928 NEWLOC 613J1
'0929 MISC 612S1
'0929 ASSTOS 625J1

#6522 RADASA, RICKY
, **** /0926 (8613) MISC ,STARTING CPR
#6811 SPENCER, KRISTOPHER
, *** MEDIC 20
[NIMITZ/8 ON RAMP]
[NIMITZ/8 ON RAMP]

/0930 MMISC 625J1
'0930 ASSTOS 627J1
'0930 MISC 627J1
'0930 NEWLOC 613J1
'0930 NEWLOC 627J1
'0930 (5827) *ONSCNE 661Q
'0931 (8613) MISC 2942N1
'0933 ASSTOS 621B1

, ENRT FOR PEER SUPPORT***

/0934 MISC 618J1
'934 (5179) *ENROUT 2942N1
'0935 (8613) MISC 615B1

#5876 BUTERA, RICHARD
, ENGINE 20

/0937 MISC 624K1
'0938 NEWLOC 621B1

, TO STOP SB TRAFFIC ON SW DR FROM SEA WORLD ENTR
ANCE
, WILL DIRECT BIKES ON BIKE PATH EAST
[JSO SW DR W MISSION BAY]



/0938 NEWLOC 618J1 [JSO SW DR W MISSION BAY]
 /0938 NEWLOC 615J1 [JSO SW DR W MISSION BAY]
 /0939 NEWLOC 614B1 [JSO SW DR W MISSION BAY]
 /0939 ASSTER 600C [JSO SW DR W MISSION BAY EXIT]
 #3522 MILLS, ANDREW
 /0940 CHGLOC 615B1 [SW DR - SEA WORLD ENTR]
 /0941 NEWLOC 624K1 [I-8/SSC]
 /0942 (5179) *ONSCNE 2942N1
 /0947 (8613) NEWLOC 2937N1 [JSO SW DR W MISSION BAY]
 /0949 (4161) *CLEAR 2937N1
 /0952 (8613) MMISC ,932S1 WILL BE ENRT SHORTLY
 /0954 ASST 611G1 [REDACTED]
 #7002 MALCOMB, JEFFERY W
 #5892 LOPEZ, MARK
 /0954 ASST 630L [JSO SW DR W MISSION BAY EXIT]
 #4573 GOLDBERG, BRIAN M
 /0956 (7002) *ENROUT 611G1
 /0958 (8613) MISC 600C , ** WILL BE INCIDENT COMMANDER **
 /0958 MMISC ,627J WILL BE RIDING WITH MEDICS TO UCSD
 /0958 CHGLOC 627J1 [200 W ARBOR DR]
 /0959 NEWLOC 2942N1 [5215 GAINES ST]
 /1000 CMDR 600C
 /1001 (7002) *ONSCNE 611G1
 /1002 (8613) ASSTOS 627B1 #6492 MARGOLIS, JEREMY
 /1003 MMISC 627B1 ,/0935 MISC 627B1 ,TO STOP TRAFFIC EXIT OFF INGRA
 HAM TO SB SW DR/0949 (6492) *ONSCNE 627B1
 /1004 NEWLOC 627B1 [INGRAHAM TO SB SW DR]
 /1005 ASST 2910S1 [5215 GAINES ST]
 #5005 PIDGEON, E MICHAEL
 /1007 (8814) ASSTER RNGR27 [WEST MISSION/SEA]
 #POL POLICE OFFICER TEMPLATE
 /1007 (8613) MISC 615B1 , *** MEDIA IS 97***
 /1009 (8814) ASST 932S1 [JSO SW DR W MISSION BAY EXIT]
 #4569 PINER, JOHN (RICK)
 ,PEER SUPPORT
 /1009 (8613) ONSCNE 627J1
 /1011 (5005) *ENROUT 2910S1
 /1011 (8613) MISC 932S1 , FOR PEER SUPPORT --
 /1015 (8563) MISC 627J1 , **** 1144*****
 /1016 MISC 627J1 , ***IN OR#11***
 /1019 (5005) *ONSCNE 2910S1
 /1020 (8563) MISC 627J1 , DL/NO [REDACTED] *B/D:10-09-1991*NAME:CARGNONI GIAC
 OMO JAMES*MAIL ADDR AS OF 04-05-13 [REDACTED]
 [REDACTED] *OTH/ADDR AS OF 09-09-12 [REDACTED]
 [REDACTED] *AKA:CARGNONI GIACOMO*IDENTIFYING
 INFORMATION:SEX:MALE*HAIR:BROWN*EYES:HSL*HT:5-10
 *WT:160*LIC/ISS:11-05-12*EXPIRES:10-09-17*CLASS:C
 NON-COMMERCIAL & M1 MOTORCYCLE*ENDORSEMENTS:NONE
 *ORIGINAL DL ISSUE DATE:11-10-11*LATES
 /1020 MISC 627J1 ,T APP: DL TYPE:DUP WITH PRIOR PHOTO*ISS/DATE: 04
 -05-13*OFFICE: SDC*BATES:LIS*ORGAN AND TISSUE DON
 OR: YES UPDATED:04-05-13LICENSE STATUS: VALID*
 /1021 ASSTER 1652 [JSO SW DR W MISSION BAY EXIT]
 #5869 LEAHY, CHRIS
 /1023 ONSCNE 1652
 /1023 (6301) *ASNCAS 614J1 \$PR130021570
 /1025 (8563) CLEAR 624K1
 /1026 ASSTOS 6 [JSO SW DR W MISSION BAY EXIT]
 #4099 VASQUEZ, WALTER W
 /1028 (8652) SUPP NAM: [REDACTED]

ADR: [REDACTED] - CELL

PHO: [REDACTED]

TXT: [REDACTED] MAYO CLING TO SAY THAT [REDACTED] WITNESS THE I
NC FRM THE START // SAW THE W HOLE THING // WANTS
TO GIVE [REDACTED] INFO INCASE OFCRS NEED TO SPK TO HER
// IS NOW AT HOME // RES PHN [REDACTED] // CT
24

/1030 (8563) MISC , L5 T4 ON WITNESS INFO
/1033 ONSCNE 615B1
/1034 MISC 627B1 , MEDIA 97 AT INGRAHAM TO SB SEA WORLD
/1034 MISC , L5 T4
/1035 MISC , MEDIC 20 LEFT DRUG BOX ON SCENE// MEDIC SUPV TO
DD [REDACTED]
/1035 (8218) CLEAR RNGR27
/1037 (8563) MISC , MEDIC 20//ADAM SWEAT #AS9502, DENNIS CREAMER #D
C3076, SIMMON KOCH #SK4352
/1039 MISC L5 , ADDTL MEDIA TO GO TO END OF WB 8, RIGHT ON SSC
AND PARK ON BRIDGE
/1040 MISC 661Q , MEDIA AT INITIAL SCENE ON SSC
/1042 ASSTOS 1602L [REDACTED]
#4207 DUPAN, JORGE
/1042 MISC 1602L , BRIEFING FOR MEDIA ON BRIDGE AT SSC
/1049 ASSTER RS3941 [JSO SW DR W MISSION BAY EXIT]
#0531 GWINN, JOHN G
#0527 WEDDEL, LARRY
/1051 ASSTER RS3942 [JSO SW DR W MISSION BAY EXIT]
#0567 MASHIKIAN, RALPH
#0635 GRANT, LYNN
/1103 MISC 627J1 , M/E 97 AT HOSP
/1108 (4569) *CHGLOC 932S1 [WESTERN]
/1109 *ONSCNE 932S1
/1109 (8563) NEWLOC 613J1 [SSC EB AT NIMITZ]
/1109 NEWLOC RS3941 [SSC EB AT NIMITZ]
/1111 (6101) *CLEAR 613J1
/1121 (8563) CLEAR 611B1
/1121 ONSCNE RS3942
/1129 (4510) *CLEAR L5
/1132 (8563) MISC RS3942 , WILL MOVE VEH TO 615B LOC AT SEA WORLD ENTRANE
/1134 (8587) CROSS #P13060000682
/1136 (8563) ASSTER 3273P [INGRAHAM TO SB SW DR]
#8003 STUM, DAVID A
#4754 DEL TORO JR, MANUEL
/1139 (8587) ASSTOS HOM5
/1143 (7002) *CLEAR 611G1
/1148 (5005) *CLEAR 2910S1
/1156 (8563) CLEAR 3273P
/1157 CLEAR 6
/1205 MISC 2942N1 , ***PEER SUPPORT***
/1205 NEWLOC RS3942 [SW AT SPORTS ARENA OFFRAMP]
/1207 (6962) *CLEAR 615B1
/1213 (6492) *CLEAR 627B1
/1213 (8563) NEWLOC 630L [REDACTED]
/1214 ASSTOS 627B1 [REDACTED]
#6492 MARGOLIS, JEREMY
/1242 (8521) ASST 613J1 [REDACTED]
#4101 TAPOTA, ANDREW
(256 (8563) ASSTER 624V2 [200 W ARBOR DR]
#6713 CALVERT, SARAH M
/1258 MISC 624V2 , ENRT TO 627J TO GIVE RIDE BACK TO SCENE
/1259 ONSCNE 624V2
/1314 \$PREMPT 625J1

/1321 (5827) *CLEAR 661Q
 /1323 (8563) NEWLOC 613J1 [BRIDGE]
 /1324 ASSTER 661Q [BRIDGE]
 #5827 PEREGRINA, EFREN
 #6193 CAMPBELL, DOUGLAS R
 /1324 CLEAR 600C
 /1331 (6301) *CLEAR 614J1
 /1331 (5179) *CHGLOC 2942N1 [HQ]
 , 4TH FLOOR
 /1331 *ONSCNE 2942N1
 /1340 (5827) *ONSCNE 661Q
 /1357 *CLEAR 661Q
 /1400 (8521) \$PREMPT 624V2
 /1401 MISC 613J1 , 13:59:13 - TOW REQUEST ACKNOWLEDGEMENT FOR 613J
 1
 /1410 (6101) *CLEAR 613J1
 /1427 (8563) CHGLOC 615J1 [REDACTED]
 /1429 ASSTER 624Y2 [JSO SW DR W MISSION BAY EXIT]
 #6104 WEAVER, JAMES
 /1430 ASSTER 622Y2 [JSO SW DR W MISSION BAY EXIT]
 #6933 LEE, GEENOU
 /1442 (6492) *CHGLOC 627B1 [TRAFFIC DIVISION W/VEHICL]
 /1445 (8587) ASNCAS \$PR130021594
 /1448 (6104) *ONSCNE 624Y2
 /1449 (8587) ASNCAS \$PR130021595
 /1454 (8461) MMISC 1652 , OK TO OPEN UP SSC NOW
 /1458 PREMPT 614B1
 /1459 (6104) *CLEAR 624Y2
 /1500 (6492) *ONSCNE 627B1
 /1503 (8461) CLEAR RS3941 , TRAFF OPEN
 /1511 (6811) *CLEAR 627J1
 /1511 (8461) PREMPT 618J1
 /1512 PREMPT 932S1
 /1517 (6933) *CLEAR 622Y2
 /1518 (8461) PREMPT 622S1
 /1518 PREMPT 612S1
 /1519 PREMPT 615J1
 /1519 PREMPT 613B1
 /1529 CHGLOC 627B1 [5215 GAINES ST]
 , XX
 /1535 (6492) *CLEAR 627B1
 /1552 (8461) PREMPT 621B1
 /1555 (8416) CLEAR RS3942
 /1608 (8587) CROSS #P13060000835
 /1609 (5179) *CLEAR 2942N1
 /1609 (8220) SUPP NAM [REDACTED]
 ADR [REDACTED]
 PHO [REDACTED]
 TXT: RP'S MEDICATION WAS IN SUSP'S VEH // 1 BOTTL
 E EACH OF KLONOPIN AND RESTOR IL, ANTI ANXIETY ME
 DS // ADV'D WERE STOLEN LAST NIGHT INC #00835/487
 R // REQ C B // CT09
 /1609 (8587) MISC , 1650S 10-4 ON LAST AND XREF INC #00835//LD01 MM
 /1633 CROSS #P13060001099
 /1737 (6068) SUPP TXT: RP IS [REDACTED] [REDACTED] [REDACTED]
 [REDACTED] /SAID SHE WITN OIS EARLIER TODAY AND CA
 LLING IN CASE PD NEEDS HER WITN STATEMENT/CT04/60
 68
 /1744 (8366) SUPP TXT: 1650S 10-4 NO FAX NEEDED//WILL CALL DIRECT//
 CT 3

/1901 (8461) CLEAR 630L
/1901 CLEAR 1602L
/1903 (8587) CLEAR 1652 D/R
'1903 CLEAR HOM5
(1903 CLOSE HOM5 D/R
*** New Date: 06/02/13 ***
/1402 (8342) REOPEN ,NO MORE INFORMATION
/1402 DISPOS 625J1 [SUB]
#6522 RADASA, RICKY
/1409 \$PREMPT 625J1
/1414 DISPOS 625J1 [SUB]
#6522 RADASA, RICKY
/1531 (8961) CLEAR 625J1
/1531 CLOSE 625J1 D/R

06/03/13 07:18:30 PRINT REQUESTED BY TERMINAL TAPR

Incident History for: #P13060000682 Xref: #P13060000530

Entered 06/01/13 11:33:47 BY LD02 8587

Dispatched 06/01/13 11:38:43 BY RC06 8563

Inroute 06/01/13 11:38:43

Onscene 06/01/13 11:38:43

Closed 06/01/13 17:28:00

Initial Type: SIG

Final Type: SIG (SIGALERT) Pri: 2 Dispo: K

Police BLK: 0680100049860 FMap: 2120E4 TMap: 1268A5 Group: P6

Beat: 613 Src: T Inc Cmdr:

Loc: I-8 WB OFF RA/SUNSET CLIFFS BL

Loc Info: **SIG ALERT #13-27**

Name: 622S1

Addr:

Phone:

/1133 (8587) NBRHD

/1133 ENTRY

Point Loma Heights

SAN DIEGO POLICE DEPT ADVISES SUNSET CLIFFS BL NB

AT I-8 TO WEST MISSION BAY DR IS CLOSED //SB SEA

WORLD DR TO I-8 IS ALSO CLOSED DUE TO POLICE ACT

IVIT Y- MOTORISTS ARE ADVISED TO USE ALTERNATE RO

UTES, THIS CONDITIONS IS *M*

/1134 CHANGE

/1134 CROSS

/1134 MISC

, EXPECTED TO LAST FOR THE NEXT 5 HRS//LD02 MM

#P13060000530

, 11:34:17 TO LDET, PHONE FROM LD02: INCIDENT HIS

TORY FOR: #P13060000682 XREF: #P13060000530

/1134 (8563) HOLD

/1136 (8587) MISC

/1138 (8563) DISPOS MEMO6

/1138 MISC MEMO6

/1438 (8952) MISC

/1438 (8342) MISC

/1439 (8909) MMISC

/1553 (8461) MMISC

, AIRED BLUE1//LD02 MM

#POL POLICE TEMPLATE

, AIRED CITYWIDE

, AIRED P8

, AU P5

, AU P4 P7

, 3273P ADV THE AREA IS OPEN -- 614S 10-4 // LIFT

ING SIGALERT

/1554 MISC

/1554 (8587) MISC

/1554 (8952) MISC

/1728 (8563) CLEAR MEMO6

/1728 CLOSE MEMO6

, CANCELLED F6

, AIRED BLUE1 LIFTED//LD01 MM

, AIRED 1022 ON P5

D/K

D/K

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06/03/13 07:20:00 PRINT REQUESTED BY TERMINAL TAPR
Incident History for: #P13060000835 Xref: #P13060000530
Case Numbers: \$PR130021589
Entered 06/01/13 13:41:27 BY CT13 8919
Dispatched 06/01/13 13:53:31 BY TRU916 4699
Enroute 06/01/13 13:53:31
Onscene 06/01/13 13:53:31
Closed 06/01/13 14:40:54

Initial Type: 487R
Final Type: 487R (GRAND THEFT/REPORT \$950+) Pri: 4 Dispo: R
Police BLK: 0770000062090 FMap: 2420B6 TMap: 1248A7 Group: T9
Beat: 122 Src: T Inc Cmdr:
Loc: [REDACTED] btwn GRAHAM ST & FORTUNA AV

Loc Info: - TRU CALL -

Name: [REDACTED] Addr: SAME///

Phone: [REDACTED]

/1341 (8919) NBRHD Pacific Beach
/1341 ENTRY STOLEN BOTTLES OF PRESC MEDS FROM [REDACTED] BEDROOM//HAD FRIENDS OVER/ UNK WHO TOOK THEM// ANTI-ANXIETY MEDS//
/1346 (8587) HOLD
/1353 (4699) DISPOS TRU916 #4699 DUNN, JEFFREY
/1408 ASNCAS \$PR130021589
/1440 GDISPO D/R
/1440 CLEAR TRU916 D/R
/1440 CLOSE TRU916 D/R
/1608 (8587) CROSS #P13060000530



06/03/13 07:44:07 PRINT REQUESTED BY TERMINAL TAPR
Incident History for: #P13060001099 Xref: #P13060000530
Entered 06/01/13 16:31:27 BY LD01 8587
Dispatched 06/01/13 16:43:33 BY RC01 8909
Inroute 06/01/13 16:52:01
Onscene 06/01/13 17:29:33
Closed 06/01/13 19:57:29

Initial Type: CW
Final Type: CW (CHECK THE WELFARE) Pri: 1 Dispo: K
Police BLK: 0770000062090 FMap: 2420B6 TMap: 1248A7 Group: P1
Beat: 122 Src: T Inc Cmdr:
Loc: [REDACTED] btwn GRAHAM ST & FORTUNA AV

Loc Info:

Name: 1650S-DEL TORO

Addr:

Phone: 6199800219

/1631 (8587) NBRHD Pacific Beach
/1631 ENTRY ((FEM IS FRIEND OF THE OIS SUSP TODAY - REQ CRISI
S - AN OFCR HAS TO BE 97 B4 CRISIS CAN BE DISPATC
HED)) - CONTACT [REDACTED], PH # [REDACTED]
FEM IS NOT 1145 - BUT VERY UPSET

/1631 (8909) HOLD
/1632 (8587) MISC , 16:31:32 TO LDET FROM LD01: INCIDENT HISTORY FO
R: #P13060001099
#P13060000530
/1633 CROSS , ROUTE 123S2/
/1633 (8909) MISC #4806 ATWOOD, ROBERT
/1643 DISP 122Y2
/1644 \$PREMPT 122Y2
/1644 HOLDC , UNIT ON CW
/1644 MISC , 123S T4 ON CALL PENDING
/1651 DISP 110PT2 #3696 NICHOLAS, ALAN M
#0494 HAMMER, MICHAEL

/1652 (3696) *ENROUT 110PT2
/1729 *ONSCNE 110PT2
/1730 (8643) SUPP TXT: FEM BACK ON LINE, SAYS SHE IS HAVING A PANIC
ATTACK
TXT: ADV UNIT WAS ENRT AND CALMED DOWN A BIT

/1731 SUPP
/1736 (8909) OK 110PT2
/1736 CALLBK 110PT2 , LD01, PLS HAVE CRISIS RESPOND
/1738 (8587) CHANGE , CRISIS PAGED//LD01 MM
/1741 CHANGE , CRISIS 10-4; WILL CALL BACK W/ETA//LD01 MM
/1745 (8909) CALLBK 110PT2 , LD01, PLS 1022 CRISIS, WILL BE A PERT 1148
/1747 (8587) MISC 110PT2 , PAGED CRISIS TO 1022//LD01 MM
/1829 (3696) *CHGLOC 110PT2 [UCSD HILLCREST]
ONE [REDACTED] 70.8
/1830 *CHGLOC 110PT2 [WESTERN DIV]
ONE [REDACTED] MILES 71.2
/1836 *CHGLOC 110PT2 [WESTERN DIV]
ONE [REDACTED] MILES 71.2
/1838 *MISC 110PT2 , [REDACTED] HAD MEDICATION FOR PANIC ATTACKS
STOLEN. TRANSPORTED TO UCSD ER TO GET REFILL. WIL
L CALL COMMUNICATIONS TO BE TRANSPORTED BACK HOME,
AND THEN CIT CAN ASIST.

/1841 *ONSCNE 110PT2
/1841 *MISC 110PT2 , AT WESTERN ENDING MILES 77.2
/1929 *CHGLOC 110PT2 [UCSD HILLCREST]
ONE [REDACTED] MILEAGE IS 77.2
/1940 *ONSCNE 110PT2
/1941 *MISC 110PT2 , AT UCSD ENDING MILES 81.7

/1957
/1957

*CLEAR 110PT2 D/K
CLOSE 110PT2 D/K

Suspect fatally shot by police along roadway near SeaWorld identified

Officer: Gun found in man's vehicle

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Posted: 06/01/2013

Last Updated: 7 days ago

SAN DIEGO - Authorities released the name of a 21-year-old man that was shot and killed by San Diego police Saturday in an incident that snarled traffic in Mission Bay Park.

The chain of events that led to the fatal shooting of Giacomo Cargnoni began at about 9:15 a.m. when patrol officers were called to the 1700 block of Sunset Cliffs Boulevard on a report a man was threatening to shoot another man, San Diego police Lt. Jorge Duran said.

Witnesses saw the suspect get into a silver Volkswagen sedan and drive north toward the San Diego River bridge, he said.

San Diego police spotted and stopped the vehicle north of the bridge, where Sea World Drive changes into Sunset Cliffs Boulevard, according to Duran.

Officers called for the man to put his hands up, but he ignored their commands and walked to the car's passenger side, reached between the seats and retrieved a brown and silver object, Duran said. The suspect then allegedly raised the object and pointed it at the officers, according to the lieutenant.

One of the officers, an 11-year veteran of the San Diego Police Department, fired his duty weapon and struck the suspect, Duran said. Officers later located a gun in the suspect's vehicle, he added.

The suspect was taken to an area hospital and later died, Duran said. His name was withheld pending family notification.

Traffic heading between Ocean Beach and Mission Bay Park was temporarily blocked, with northbound traffic diverted east onto Interstate 8. Traffic heading towards Ocean Beach was diverted onto Sports Arena Boulevard.

The interchange where West Mission Bay Drive, Ingraham Street, Sea World Drive, Sports Arena Boulevard and Sunset Cliffs Boulevard was heavily congested. But patrons were able to access the SeaWorld parking lots from Sea World Drive, police said.

A SigAlert was issued but traffic was flowing freely shortly before 1:30 p.m., according to the California Highway Patrol.

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Officer shoots, kills suspect near SeaWorld

By [Paul Sisson \(/staff/paul-sisson/\)](#) 10:58 a.m. June 1, 2013 Updated 4:50 p.m.



[\(/photos/2013/jun/01/1027799/\)](#) Officials

with the San Diego Police Department examine a vehicle driven by a man who was shot and killed Saturday morning on Sea World Drive. *Paul Sisson*

SAN DIEGO — A San Diego police officer shot and killed a man Saturday morning on the shoulder of Sea World Drive after he made a threatening gesture during a traffic stop, authorities said.

Police Lt. Jorge Duran said officers were called to Ocean Beach about 9:12 a.m. on reports that a man had pointed a gun at the head of another man at an apartment complex on Sunset Boulevard near Santa Cruz Avenue. Witnesses saw the man driving away in a silver Volkswagen sedan.

When officers arrived, they spotted the car and pulled over the driver near where Sunset Boulevard crosses the San Diego River and becomes Sea World Drive.

Officers told him to get out and put his hands in the air, Duran said.

"The suspect did not comply. Instead, he exited the vehicle, went over to the passenger side ... and pulled out what appeared to be some sort of object, and raised it toward the officers. At this point, one officer fired his weapon," Duran said.

The man, whom police have not identified, was taken by ambulance to a hospital, where he died.

It was unclear what the man grabbed from the car. Duran said a knife was found on the ground nearby. He said four officers were there, but only one fired.

Mike O'Malley of Pacific Beach said his car was the first in a long line of cars stopped on the road west of where officers had stopped the Volkswagen. After pulling over, he said he recorded the incident with his cellphone.

Demonstrating with his hands pressed together in the typical posture of someone holding a handgun, O'Malley said the man clearly made a move toward the officers.

"He made a very aggressive gesture with both of his hands extended before him in the direction of the police officers," O'Malley said.

A shot sent the man to the ground, but he was able to roll to his knees and get back up, O'Malley said.

"He assumed the same aggressive pointing gesture, and then began walking toward the police officers when he was hit again, and that's when he stayed down," O'Malley said.

He said he turned his cellphone over to police detectives as evidence and declined to provide a copy of the recording to the public.

"It's video of somebody dying. It's pretty sensitive to me. It was very upsetting," he said.



██████████ a local musician, said he was at the residence when the man arrived to see a woman who lived there and drew a gun when he was told to go away. ██████████ said the man and woman were in a difficult relationship.

"It's a little bit of a Romeo and Juliet story ... basically two lovers that cannot be together," ██████████ said.

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Near SeaWorld?

by [Frank Gormlie](#) on June 1, 2013 · [3 comments](#)

in [Ocean Beach](#)

In what looks like it could have been a conflict arising from a “love-triangle” – an incident this morning that began in or near an apartment at the intersection of Santa Cruz and Sunset Cliffs Boulevard ended with the police involved in a fatal shooting close to SeaWorld.

There are some conflicts in local news reporting on this incident, but around 9:12 a.m., Saturday, June 1, a man drew a gun on another guy in OB. Then the man with the gun drove off in a silver Volkswagan sedan – going north on Sunset Cliffs Blvd.

Meanwhile, someone had called 9-11, and when police arrived in the area, they saw the suspect’s vehicle and pulled it over just across the bridge over San Diego River. Officers ordered the man out of the vehicle, but apparently he didn’t immediately comply. He supposedly rummaged through the vehicle and then pulled up something that looked to the cops as a weapon. One officer fired. The guy got up and then was hit another time. He died after being taken to the hospital.

A witness, [REDACTED] of Pacific Beach, told the media that he saw the shooting. He had stopped his car as it was the first car in a long line of vehicles halted – west of where police had pulled the Volkswagen over.

[REDACTED] recorded the incident on his cell phone. [REDACTED] said that he heard one cop yell over at the guy in the vehicle. The guy got out of the car holding something with both hands, reportedly in an aggressive stance. [REDACTED] witnessed the officer shooting the male. He said:

“I had an anxiety attack. It was traumatic. I saw someone die.”

[REDACTED] demonstrated to the U-T reporter the stance that the man took – “hands pressed together in the typical posture of someone holding a handgun, [REDACTED] said the man clearly made a move toward the officers.” [REDACTED] said:

“He made a very aggressive gesture with both of his hands extended before him in the direction of the police officers.”

The first shot put the man on the ground but [REDACTED] to the U-T reported that the guy “was able to roll to his knees and get back up.” [REDACTED] said:

“He assumed the same aggressive pointing gesture, and then began walking toward the police officers when he was hit again, and that’s when he stayed down.”

[REDACTED] didn’t turn over his cellphone with the video to the press, although he did willingly hand it over to police. He explained;

“It’s video of somebody dying. It’s pretty sensitive to me. It was very upsetting.”

Another report had a man and woman walking home after having coffee seeing the man with a gun, and

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the man threatened to shoot the other guy. After the man with the gun fled, and was pulled over, several media accounts state:

The suspect did not comply. Instead, officials say the man walked over to the passenger side of his car and began rummaging through his vehicle. He reached between the seats and pulled out what officers described as a brown and silver object. Officials say the suspect allegedly raised the object and pointed it towards officers, as if it were a weapon.

Fearing for life, one of the officers closest to the suspect drew his duty weapon and fired at least one shot at the suspect.

Police reportedly found a handgun inside the suspect's car. Also police said they discovered a knife. After the shooting, police blocked off SeaWorld Drive for hours, as they collected evidence and interviewed witnesses, diverting traffic all over the place for hours.

The U-T quotes a local musician — [REDACTED] — who said he was at the residence when the man with the gun first arrived — to see a woman who lived there. When he was told to leave, he drew the gun. [REDACTED] said that the man with the gun and the woman were in a difficult relationship. He said:

"It's a little bit of a Romeo and Juliet story ... basically two lovers that cannot be together."

News sources:

[7NBC](#)

[La Jolla Patch](#) CNS

[LA Times](#)

[U-T San Diego](#)

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{ 3 comments... read them below or [add one](#) }



[OB Mercy](#) June 2, 2013 at 12:05 pm

Sounds to me like suicide by police. So sad.

[Reply](#)



[John](#) June 3, 2013 at 3:37 am

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I guess he took the breakup kind of hard...

[Reply](#)



[Frank Gormlie June 3, 2013 at 10:01 am](#)

Authorities Monday identified the young man shot and killed by San Diego police on Saturday as Giacomo Cargnoni, 21, of San Diego.

[Reply](#)

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Officer Shoots, Kills Suspect on SeaWorld Drive

By Monica Garske and Brandi Powell | Sunday, Jun 2, 2013 | Updated 11:56 AM PDT

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An SDPD officer shot and killed a suspect on SeaWorld Drive Saturday morning.

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PHOTOS AND VIDEOS

An officer fatally shot a suspect on SeaWorld Drive in Ocean Beach Saturday morning, SDPD officials confirmed.

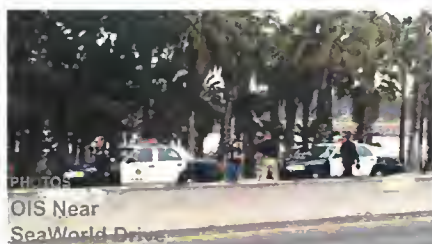
The officer-involved shooting happened around 9:30 a.m. in the 100 block of SeaWorld Drive near Mission Bay Drive.

SDPD homicide Lt. Jorge Duran says the ordeal began around 9:15 a.m. when a man and woman were walking home after grabbing coffee in the area. The couple allegedly saw a man with a gun in the 1700 block of Sunset Cliffs Boulevard and the suspect threatened to shoot the man.

The woman called police to report the incident.

SDPD officials say witnesses saw the suspect get into a silver Volkswagen sedan and drive north

Lt. Duran says responding officers spotted the



More Photos and Videos

vehicle and tried to pull the suspect over. Once the man had stopped, officers ordered him to put his hands in the air.

The suspect did not comply. Instead, officials say the man walked over to the passenger side of his car and began rummaging through his vehicle. He reached between the seats and pulled out what officers described as a brown and silver object.

Officials say the suspect allegedly raised the object and pointed it towards officers, as if it were a weapon.

Fearing for life, one of the officers closest to the suspect drew his duty weapon and fired at least one shot at the suspect, Lt. Duran said. The suspect was taken to a local hospital, but died from injuries sustained in shooting. His name has not yet been released, pending family notifications.

SDPD officials say a handgun was found inside the suspect's car.

The scene was blocked off with police tape as police began their investigation, searching for evidence and interviewing witnesses. The suspect's vehicle was also stalled at the scene with its doors and trunk open. The vehicle had a broken window and several items were taken out of the trunk and placed on the roadway.

Following the shooting, there was a heavy police presence at the scene, including dozens of officers and multiple marked and unmarked police vehicles.

CHP officials helped with traffic control and issued a SigAlert due to the police activity in the area. As of 11:38 a.m., CHP officials said northbound Sunset Cliffs at Interstate 8 to West Mission Bay Drive would be closed for the next five hours. [Get traffic updates here.](#)

Witness [REDACTED] told NBC 7 he saw the fatal shooting as he was driving to yoga. [REDACTED] stopped his car and recorded the incident on his cell phone, which was then given to detectives.

[REDACTED] said he heard the officer yell something at the suspect. Then, he saw the suspect get out of his car and hold both hands toward the officer, allegedly taking a stance as if he had a gun.

[REDACTED] said he saw the officer shoot the suspect. The witness said a car door was standing between the suspect and officer, and they were approximately 15 feet away from one another.

"I had an anxiety attack," [REDACTED] said. "It was traumatic. I saw someone die."

SDPD officials say the officer involved in the fatal shooting is an 11-year veteran of the Department. His name was not released.

Witness [REDACTED] told NBC 7 he knew the suspect who was shot by police. [REDACTED] said the suspect recently lost his job and was going through a lot of turmoil.

Check back for updates on this developing story.

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Posted Jun 1, 2013

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10 comments

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Comment

**OBrien McQuade** · Some guy at APS - Access Professional Systems, Inc.

He was a friend of mine. Made a bad decision. RIP

Reply · 5 · Like · June 1 at 3:56pm

Sandra Hennessy · Top Commenter

O'Brien==Was he a drunker. Or violent. Maybe ignorant. Why did he do this?

Reply · 1 · Like · June 1 at 9:10pm

**OBrien McQuade** · Some guy at APS - Access Professional Systems, Inc.

He had his problems like everyone else. Just caught up in the moment. Don't be quick to judge.

Reply · 4 · Like · June 1 at 10:29pm

**Meaghan Biery** · Top Commenter

s like he was having some problems. Very sorry it ended up this



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**Jordan Clift** · Clairemont, California

If you don't know him, shut your mouths. he was a great kid with a good heart. boo hoo if you guys got stuck in traffic. a friend to many people died. show some humility.

Reply · 3 at 11:21am

LOCAL

PHOTOS AND VIDEOS

**Clared Wall** · MiraCosta CollegePolice Pursuit Ends in Crash
Closed in Search for Rifle-
Toting Man...

Reply · Like · June 3 at 11:53am

**LOCAL**
Oceanside Sees Rise in
Visitors, Tourism \$\$**THE SCENE**
Gloriously Unhealthy Fair
Foods**LOCAL** · California State University, Northridge
Police Pursuit Ends in Crash
Closed in Search for Rifle-
Toting Man...

Reply · 4 · Like · June 1 at 7:37pm

**LOCAL**
Driver Arrested in Hit and Run
Crash... people do. They want to die,
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OBrien McQuade · Some guy at APS - A
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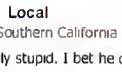
Most likely was

Reply · Like · June 1 at 10:29pm

**SPORTS**
Shawne Merriman
Systems, Inc.
Hospitalized**STDRIES**
Why We Love San Diego
Gallery II**Larry Carrigan** · Top Commenter · University of Southern California

Walking around threatening people with a gun is really stupid. I bet he doesn't do that again. Good riddence.

Reply · 4 · Like · June 1 at 4:01pm

**SPORTS**
Shawne Merriman
Systems, Inc.
Hospitalized

Multimedia

**Krishna Haney** · San Diego, California

Yeah, he won't do that again because he's in the morgue. Classy post

Reply · 6 · Like · June 1 at 4:58pm

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**Community****Edward Randall** · Santa Monica CollegeLarry I hope you were being sarcastic. Dead guys don't do much gun waving. Also you got
ted up in the

y · 1 · Like · June 1 at 5:40pm

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That matter to you

**Larry Carrigan** · Top Commenter · University of Southern CaliforniaThank you Krishna. I was stuck in traffic right there too because of one idiot. That's the only reason
I looked up this incident. And innocent people could have been hurt so why would I care one bit
about him? It could have been a very sad story but our story was up....not so much.

Reply · 7 · Like · June 1 at 5:54pm

View 2 more

Sandra Hennessy · Top CommenterJoshua==What the heck is wrong with you. What are you a hippy? Every bodies wonderful and love each
other. Make love not war. It is not that was the cool of him. A cop that shot to kill a good guy could
get up and shoot back. That's how cops die.

Reply · 3 · Like · June 1 at 9:10pm

**Under 18** · Top Commenter

Don't be hating on the Hippies, now...

Reply · Like · June 3 at 11:06am

**Joshua Bevilacqua** · Cake Decorator at Donut Bar

another rookie cop shooting good people, making bad decisions.

Reply · 3 · Like · June 1 at 11:25am

ENTERTAINMENT

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TRAFFIC

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San Diego police fatally shoot man near Sea World

Posted: Jun 01, 2013 5:38 PM PDT

Updated: Jun 01, 2013 5:38 PM PDT

SAN DIEGO (AP) - A San Diego police officer has fatally shot a man near Sea World after he pointed an object at police.

Lt. Jorge Duran said the man was pulled over after being suspected of pointing a gun at the head of another man Saturday morning.

Duran said the man refused to put his hands in the air when he was stopped. Instead, he got out of his car, pulled out an object and raised it toward officers.

A witness who videotaped the encounter told UT San Diego (<http://bit.ly/146SDJp>) that an officer fired his weapon, sending the man to the ground. [REDACTED] said the man got back up and made the same threatening gesture before being struck again.

Duran said a knife was later found at the scene.

Information from: UT San Diego, <http://www.utsandiego.com>

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PAGE		CASE NUMBER											
2 OF 9		13021570											
PROPERTY	ITEM NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION	VALUE					
	1												
	2												
	3												
	4												
SUSPECT(S)	ARRESTED	SUSPECT #1 (LAST, FIRST, MIDDLE)											
	<input type="checkbox"/> N	Cargnon, Giacomo											
	NICKNAME/AKA					ID TYPE	ID NUMBER						
	SUSPECT'S ADDRESS					CITY	STATE ZIP						
	PHONE	RACE	SEX	AGE	DOB	HT.	WT.	BUILD	HAIR COLOR	EYE COLOR			
		W	M	21	10/09/1991	5'10" - 5'11"	160 - 165	THI	BRO	HZL			
	ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E., GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)												
	SUSPECT'S CLOTHING												
	Shirtless												
EVIDENCE	HAIR LGTH/TYPE	HAIR STYLE	FACIAL HAIR	COMPLEXION	GENERAL APPEARANCE	DEMEANOR	SPEECH	VOICE					
	0. UNKNOWN	11. OTHER	0. UNKNOWN	0. UNKNOWN	0. UNKNOWN	0. UNKNOWN	0. UNKNOWN	0. UNKNOWN					
	6. OTHER												
	0. UNKNOWN	0. UNKNOWN											
NARRATIVE	SUSPECT VEHICLE	YEAR	MAKE	MODEL	COLOR / COLOR	TYPE	LICENSE NO.	LIC STATE					
	ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)					VIN	VEHICLE IMPOUND	TOWING COMPANY					
	EVIDENCE 0. NONE OBTAINED												
	See Investigative Addendum for Details												
NARRATIVE	TAG NOS.						ADD'L PERSONS LISTED	WITNESS CHECK					
							<input type="checkbox"/> N	<input type="checkbox"/> Y					
	ADDITIONAL OFFENSES:												
	HEADINGS: CRIME DESCRIPTION; VICTIM(S) STATEMENT; OFFICER'S STATEMENT / INVESTIGATION; EVIDENCE/DISPOSITION; WITNESS STATEMENT/ WITNESS CHECKS; INJURIES / PROPERTY DAMAGE												
A UN	officer assault:		OAK ZZ	Number Officers		Activity when assault occurred:							
				Number Officers without personal injury									
ARSON TYPE:													
DESCRIPTION		CONTENT LOSS \$.00		STRUCT LOSS \$.00		ABANDON	<input type="checkbox"/> N	CONTINUED	<input type="checkbox"/> Y

**SAN DIEGO REGIONAL
ADDITIONAL VICTIMS AND/OR WITNESSES
AND OTHER PEOPLE ASSOCIATED WITH THE CRIME**

PAGE
3 OF 9

CASE NUMBER
13021570

LOCATION OF INCIDENT (OR ADDRESS) [REDACTED]									
CITY San Diego				BEAT 614		DISTRICT			
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]									
W-TYPE RESIDENCE ADDRESS 06 [REDACTED] CITY [REDACTED] STATE [REDACTED] ZIP [REDACTED]									
RESIDENCE PHONE [REDACTED]		RACE [REDACTED]	SEX [REDACTED]	DATE OF BIRTH [REDACTED]	ID TYPE [REDACTED]	ID NUMBER [REDACTED]	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT	
STATUS EMPLOYER (RANK IF MILITARY) U [REDACTED]				BUSINESS PHONE [REDACTED]		DAYS OFF	WORK HRS.	V/W ASSIST N	
BUSINESS OR MILITARY ADDRESS				CITY		STATE ZIP			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]									
W-TYPE RESIDENCE ADDRESS 06 [REDACTED] CITY [REDACTED] STATE [REDACTED] ZIP [REDACTED]									
RESIDENCE PHONE [REDACTED]		RACE [REDACTED]	SEX [REDACTED]	DATE OF BIRTH [REDACTED]	ID TYPE [REDACTED]	ID NUMBER [REDACTED]	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT	
STATUS EMPLOYER (RANK IF MILITARY) U [REDACTED]				BUSINESS PHONE [REDACTED]		DAYS OFF	WORK HRS.	V/W ASSIST N	
BUSINESS OR MILITARY ADDRESS				CITY		STATE ZIP			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]									
W-TYPE RESIDENCE ADDRESS [REDACTED] CITY [REDACTED] STATE [REDACTED] ZIP [REDACTED]									
RESIDENCE PHONE [REDACTED]		RACE [REDACTED]	SEX [REDACTED]	DATE OF BIRTH [REDACTED]	ID TYPE [REDACTED]	ID NUMBER [REDACTED]	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT	
STATUS EMPLOYER (RANK IF MILITARY) [REDACTED]				BUSINESS PHONE [REDACTED]		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>	
BUSINESS OR MILITARY ADDRESS				CITY		STATE ZIP			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]									
W-TYPE RESIDENCE ADDRESS [REDACTED] CITY [REDACTED] STATE [REDACTED] ZIP [REDACTED]									
RESIDENCE PHONE [REDACTED]		RACE [REDACTED]	SEX [REDACTED]	DATE OF BIRTH [REDACTED]	ID TYPE [REDACTED]	ID NUMBER [REDACTED]	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT	
STATUS EMPLOYER (RANK IF MILITARY) [REDACTED]				BUSINESS PHONE [REDACTED]		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>	
BUSINESS OR MILITARY ADDRESS				CITY		STATE ZIP			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									
VICTIM'S NAME (LAST, FIRST, MIDDLE / OR ORGANIZATION) [REDACTED]									
W-TYPE RESIDENCE ADDRESS [REDACTED] CITY [REDACTED] STATE [REDACTED] ZIP [REDACTED]									
RESIDENCE PHONE [REDACTED]		RACE [REDACTED]	SEX [REDACTED]	DATE OF BIRTH [REDACTED]	ID TYPE [REDACTED]	ID NUMBER [REDACTED]	INTERPRETER REQUIRED <input type="checkbox"/>	RELATION TO: VICTIM / SUSPECT	
STATUS EMPLOYER (RANK IF MILITARY) [REDACTED]				BUSINESS PHONE [REDACTED]		DAYS OFF	WORK HRS.	V/W ASSIST <input type="checkbox"/>	
BUSINESS OR MILITARY ADDRESS				CITY		STATE ZIP			
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)									
REPORTING OFFICER GUDUY				I.D. 6301		DATE 06/01/2013			

CONTINUED **Y**

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OTHER PHYSICAL EVIDENCE:

I made other attempts to locate physical evidence at the scene.

☒ NO

If NO, explain:

I recovered evidence listed in the spaces below (Include photographs also):

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Item Description

By Whom

How Marked

Disposition

Location Found:

Tag Number:

Continue with additional witness / evidence check information on another Investigation Addendum Report.

CONTINUED

☒ Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 6 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
Location Of Incident (Or Address) [REDACTED]			City San Diego		District Beat 614
Person(s) Involved: Victim [REDACTED] [REDACTED] [REDACTED]					
Suspect (If Named) Cargnon , Giacomo					
Property Tag No.(s)					

SYNOPSIS:

On 06-01-13, at approximately 0912 hours [REDACTED] and Giacomo Cargnoni were involved in a verbal altercation regarding property that was taken from [REDACTED] in the past. The altercation escalated to a scuffle on the floor. During the scuffle, Cargnoni produced a box cutter. [REDACTED] managed to knock the box cutter out of Cargnoni's hand. Cargnoni ran out of the apartment and [REDACTED] ran after him. Cargnoni ran to his vehicle parked in the alley and produced a dark colored handgun from the passenger side of the vehicle. Initially Cargnoni pointed the gun to his neck and threatened to shoot himself if [REDACTED] did not back off. Cargnoni turned the gun from himself and pointed it at [REDACTED] Cargnoni shoved the gun toward [REDACTED] body to push [REDACTED] away and the gun made contact with [REDACTED] [REDACTED] turned to walk away and Cargnoni pointed the gun toward the back of [REDACTED] neck. The gun made contact with [REDACTED] neck. [REDACTED] walked away and Cargnoni got into his vehicle and drove off from the scene.

ORIGIN:

On 06-01-13, at approximately 0912 hours, I responded to [REDACTED] regarding a male at that location with a handgun. [REDACTED] reported the incident and called communications.

INVESTIGATION:

While in route to the scene per the incident, the male with a handgun was last seen in a gray four door Volkswagen and driving northbound on Sunset Cliffs Boulevard from the scene located at [REDACTED] [REDACTED] The male was described to be an adult white male, shirtless and wearing sweatpants.

Upon arrival at the scene, I was flagged down by a [REDACTED] later identified as [REDACTED] [REDACTED] briefly told me that a male acquaintance who [REDACTED] verbally identified as "Giacomo" pointed a handgun to the back of [REDACTED] head during a physical altercation. I obtained [REDACTED] statement.

[REDACTED] told me that Giacomo had stayed in [REDACTED] home on four different occasions in the past, but only as a visitor. [REDACTED] had property taken from [REDACTED] home including a debit card and [REDACTED] suspected that Giacomo was responsible for it.

This morning [REDACTED] woke up and found Giacomo in [REDACTED] room and asleep on the floor beside [REDACTED] bed. [REDACTED] believes that Giacomo may have let himself in through an unlocked front door. [REDACTED] confronted Giacomo regarding him being there and regarding property taken from [REDACTED] home in the past. An argument ensued and escalated into a scuffle on the bedroom floor. During the scuffle, Giacomo

Reporting Officer GUDGY	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued Y

Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 7 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013	Day of Week Sat	Time 09:12
Location Of Incident (Or Address) [REDACTED]			City San Diego	District	Beat 614
Person(s) Involved: Victim [REDACTED]					
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

produced a box cutter [REDACTED] wrestled with him on the floor and managed to knock the box cutter out of Giacomo's hand.

Giacomo ran out of the apartment and [REDACTED] ran after him. Giacomo ran south on Sunset Cliffs Boulevard and [REDACTED] came back to [REDACTED] apartment. Shortly after, [REDACTED] saw Giacomo walking to his vehicle parked in the alley. Giacomo jumped into the front passenger side of this vehicle and came out with a handgun. He pointed the gun at [REDACTED] told [REDACTED] to go away. Giacomo shoved the barrel end of the gun toward [REDACTED] several times to push [REDACTED] away. [REDACTED] turned to walk away and Giacomo pointed the gun to the back of [REDACTED] neck and again shoving the barrel end of the gun into the back of [REDACTED] neck. Giacomo got into his vehicle and drove off northbound on Sunset Cliffs Boulevard (for further see below statement).

Upon completing his statement, [REDACTED] informed me that a neighbor in unit [REDACTED] along with a [REDACTED] companion witness the incident that took place outside of the apartment. They were later identified as [REDACTED] and [REDACTED] [REDACTED] and [REDACTED] were at the scene. I spoke to them and obtained their statement (For further details see below statement).

Upon completing their statement, a [REDACTED] later identified as [REDACTED] approached me and told me [REDACTED] was inside [REDACTED] apartment (Unit [REDACTED] when [REDACTED] heard an altercation outside. [REDACTED] came out of [REDACTED] apartment and witnessed the altercation between [REDACTED] and Giacomo in the alley. I obtained [REDACTED] statement (For further details see below statement).

There were no other witnesses at the scene. I provided [REDACTED] with the case number for the incident.

Officers Campbell and Peregrina arrived onscene and assisted with the processing of the crime scene and took photographs and recovered the t-shirt left behind by Giacomo. See Officers Campbell and Peregrina's Arjis-9 reports for further details.

Detective Navarro-Moran from Homicide arrived onscene and interviewed the reporting party and witnesses.

BACKGROUND:

None.

STATEMENTS:

Statement of [REDACTED] (Victim):

Reporting Officer GUDOY	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 8 of 9		Case Number 13021570			
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT		Date 6/1/2013		Day of Week Sat	Time 09:12
Location Of Incident (Or Address) [REDACTED]			City San Diego		District Beat 614
Person(s) Involved: Victim [REDACTED] [REDACTED] [REDACTED]					
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

[REDACTED] essentially told me the following:

'Giacomo' has visited my apartment approximately four times in the past. He has never lived here and he was no longer welcomed because I believe he took some property from my apartment including a debit card. I don't know how he got in or who let him in. I left the front door unlocked last night so he may have let himself in. But this morning, I woke up and found him asleep on the floor beside my bed. I jumped on him because he was not allowed in my apartment and he took some stuff from me. We scuffled on the floor and he took out a box cutter. He was holding the box cutter in his hand. I was holding him down on the floor and on top of him and at the same time holding the hand with the box cutter down on the floor. I managed to knock it out of his hand and he got up and ran. I ran after him and held on to his shirt. His shirt came off as I was pulling it and he ran out. I chased him but he ran a block down. I walked back to my apartment and saw him walking back toward the alley behind my apartment. He walked to his car that was parked in the alley and jumped into the front passenger side of the car. He came out and he had a handgun in his hand. He pointed the gun at me and kept telling me to go away. Several times he shoved the gun toward my body and pushed me with it. I turned to walk away and that's when he shoved the gun to the back of my neck. I felt the tip of the gun on my neck. He got in his car and drove off. The gun appeared to be a mid-size handgun and dark in color. It appeared to be a semi-auto and not a revolver.

Statement of [REDACTED] and [REDACTED] (Witnesses):

[REDACTED] and [REDACTED] essentially told me the following:

We were just walking back to the apartment when we saw [REDACTED] running out of the apartment after Giacomo. [REDACTED] came back and we also saw Giacomo walking back. [REDACTED] saw Giacomo walking toward his car and [REDACTED] chased after him. We did not see where he got the gun but Giacomo was holding a gun to [REDACTED] neck. We were telling [REDACTED] just to walk away from him. [REDACTED] turned away from him and that's when Giacomo pointed the gun at [REDACTED]. They were standing very close together maybe two feet away from each other when he pointed the gun. The gun was dark colored and medium size.

Statement of [REDACTED] (Witness):

[REDACTED] essentially told me the following:

I was inside my apartment when I heard [REDACTED] screaming "Motherfucker!" I came out and saw [REDACTED] arguing with Giacomo in the middle of the street. [REDACTED] ran after him and they both

Reporting Officer GUD0Y	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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Continued From: CRIME		San Diego Regional Officer's Report Narrative		Incident Number 13060000530	
Page 9 of 9				Case Number 13021570	
Code Section And Description (one incident only) PC / 245A2 / ASSAULT WITH DEADLY WEAPON WIT			Date 6/1/2013		Day of Week Sat
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Person(s) Involved: Victim [REDACTED] [REDACTED] [REDACTED]					
Suspect (If Named) Cargnon, Giacomo					
Property Tag No.(s)					

eventually made it into the alley. Giacomo went into his car and grabbed a gun. At first he was pointing the gun to his neck and he kept telling [REDACTED] to go away or he was going to shoot himself. [REDACTED] told him, "I'm gonna get you!" That's when he pointed the gun at [REDACTED] and told [REDACTED] to back away. [REDACTED] walked away and Giacomo got in his car and drove off.

EVIDENCE:

None.

INJURIES:

None.

PROPERTY DAMAGE:

None.

FOLLOW-UP:

Per Detectives.

RELATED REPORTS:

Officer D. Campbell Arjis-9 Report
Officer E. Peregrina Arjis-9 Report

Approved By: A/Sgt.Tagaban

Reporting Officer GUDOY	ID # 6301	Division W1	Approved By	Date of Report 6/1/2013	Time 10:27
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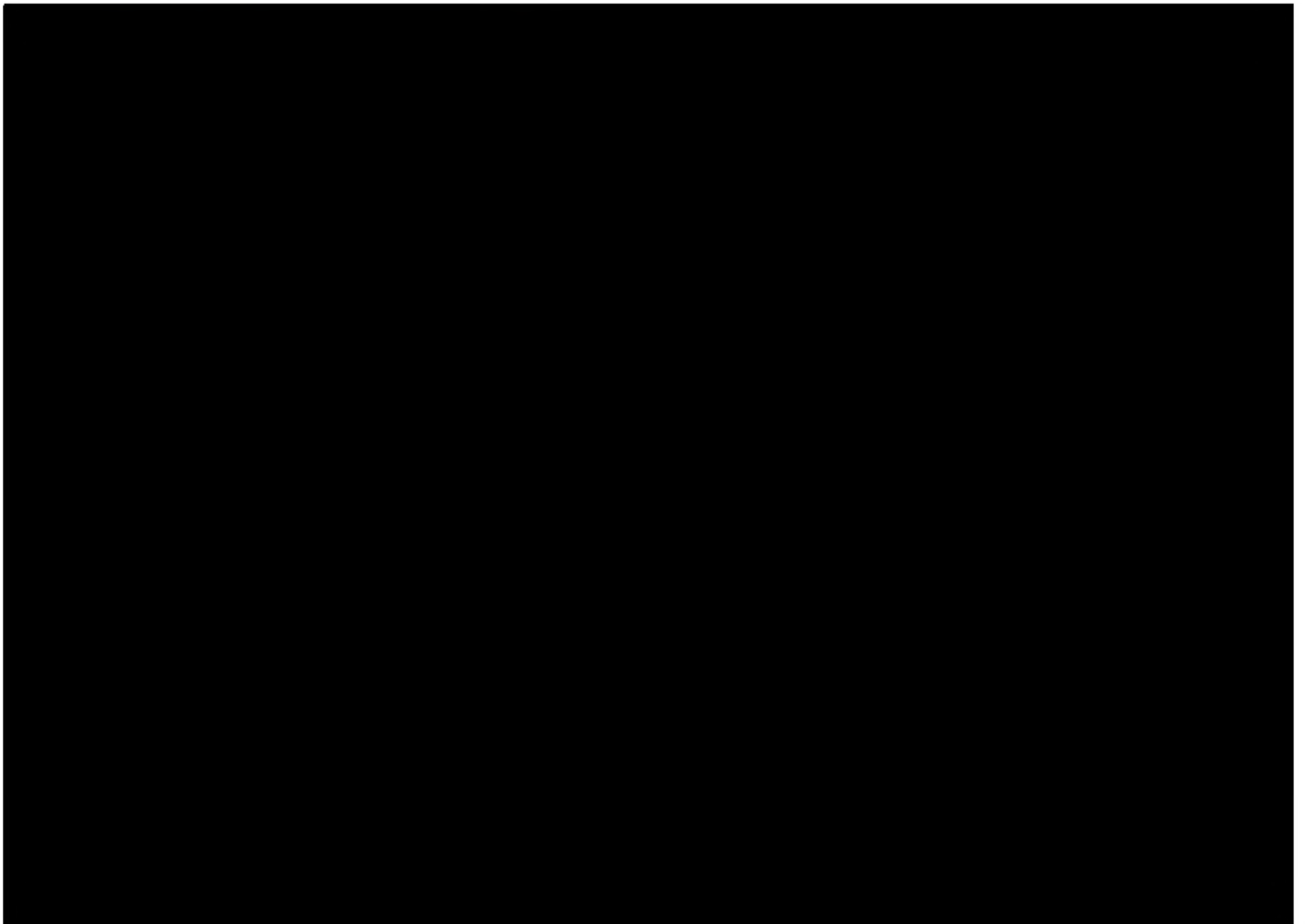
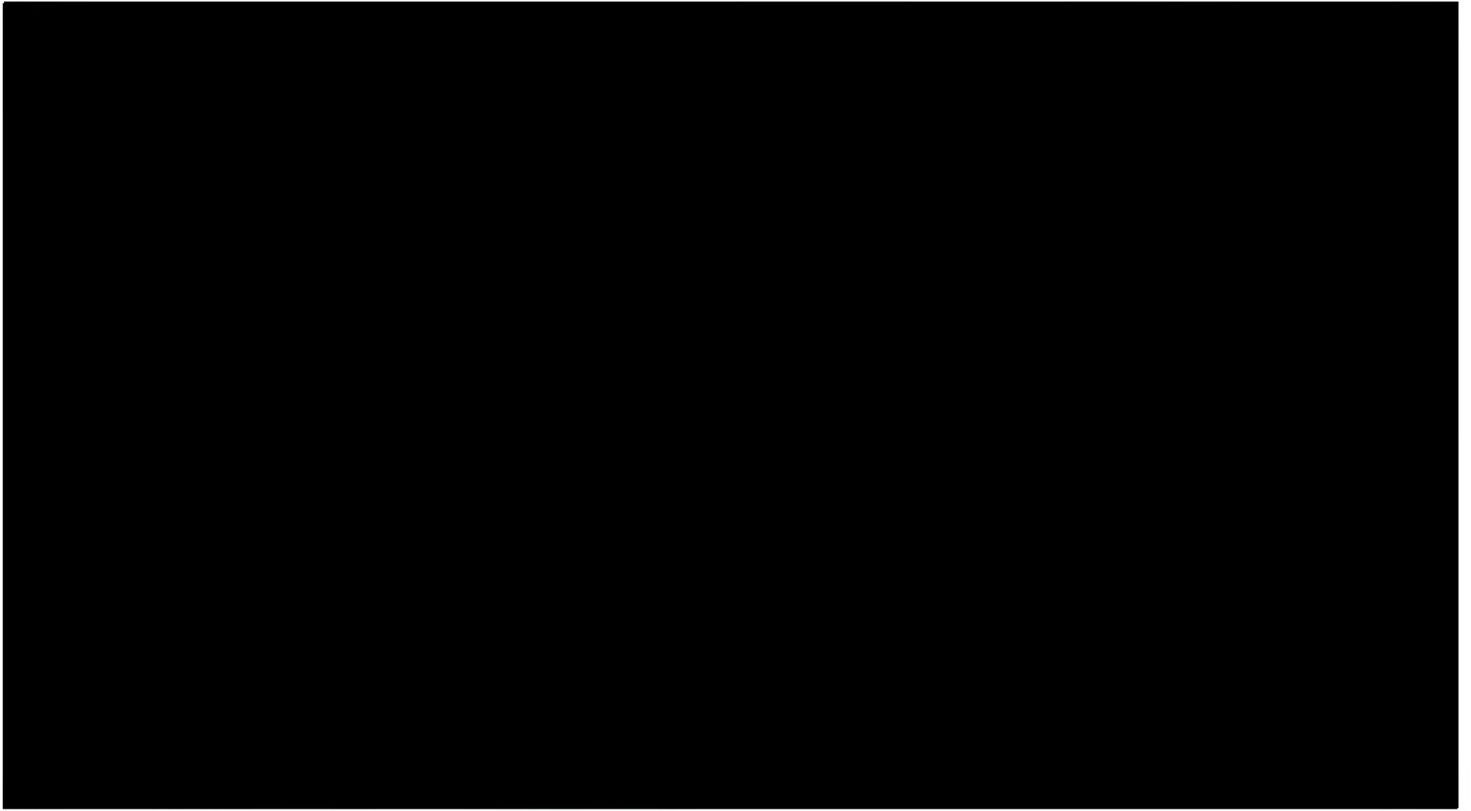
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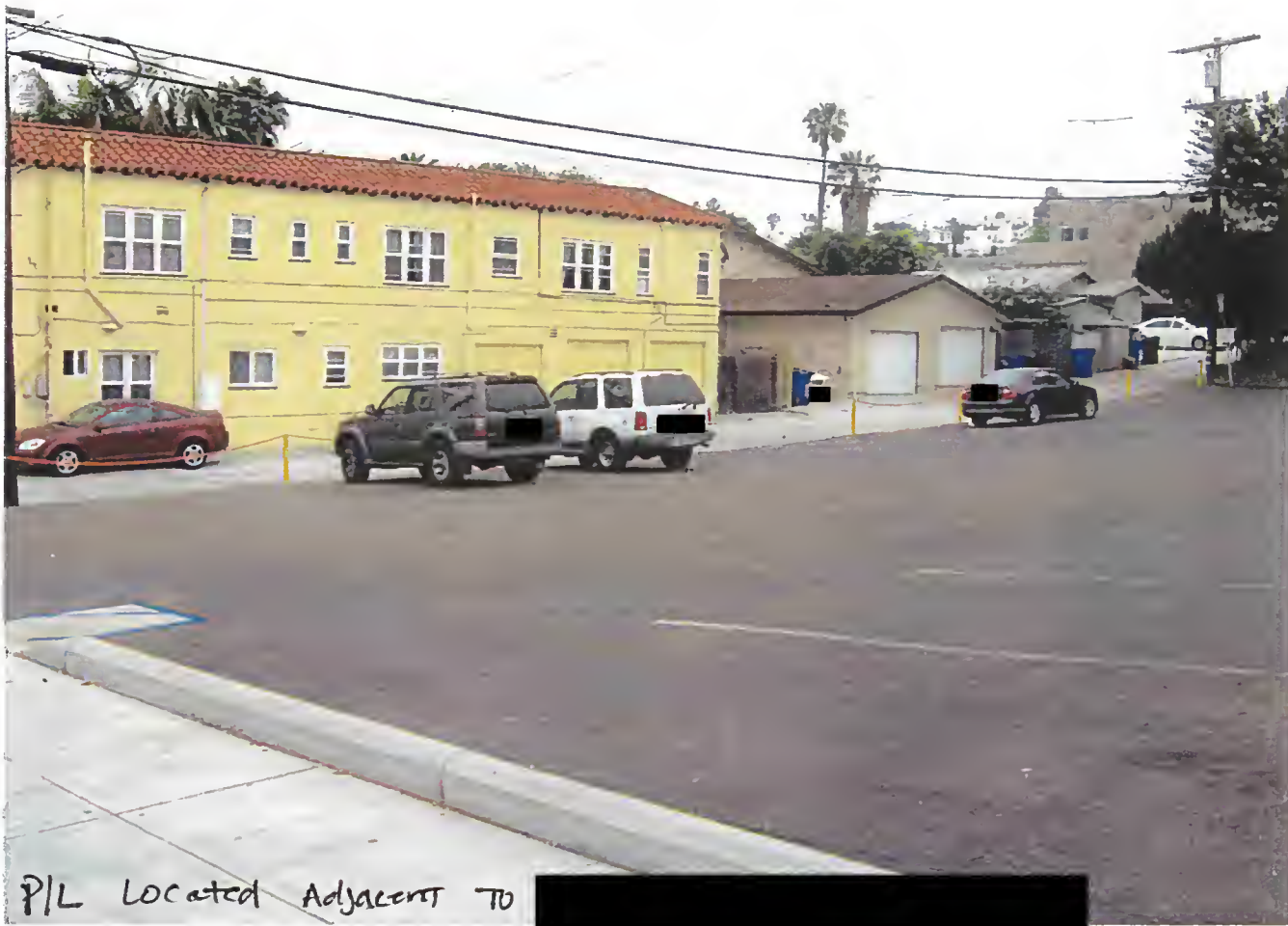


[REDACTED]

[REDACTED]

[REDACTED]















**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



FORENSIC BIOLOGY UNIT LABORATORY REPORT

VICTIM: BUTERA, Richard, ID #5876
SUSPECT: CARGNONI, Giacomo
CHARGE: 245 PC
CASE #: 13-021594
INCIDENT#: 13060000530
HOMICIDE: Detective C. Leahy, ID #5869
CRIMINALIST: David Cornacchia
DATE OF REPORT: September 3, 2013

EVIDENCE EXAMINED

Barcode #

10238968 One (1) swab from the blade of the knife (10233622).
This swab was consumed for DNA analysis.

10238970 One (1) swab from the handle of the knife (10233622).
This swab was consumed for DNA analysis.

10238971 One (1) swab from the textured areas of the handgun (10233630).
This swab was consumed for DNA analysis.

10238972 One (1) swab from the entire surface of the handgun (10233630).
This swab was consumed for DNA analysis.

10238973 One (1) swab from the entire surface of the magazine (10233630).
This swab was consumed for DNA analysis.

10233649 Two (2) reference mouth swabs obtained from Giacomo Cargnoni.
A portion of one swab was extracted for DNA analysis.

SUMMARY OF ANALYTICAL PROCEDURES

1. Qiagen BioRobot EZ1 magnetic bead based DNA purification.
2. Quantitative PCR using Applied Biosystems' Quantifiler Duo kit.
3. PCR DNA amplification using Applied Biosystems' Identifiler Plus kit.
4. Capillary electrophoresis and analysis of amplified DNA using the ABI 3130 Genetic Analyzer.

RESULTS

See attached Table 1 for DNA typing results.

FORENSIC BIOLOGY UNIT

Case #13-021594

September 3, 2013

Page 2 of 3

CONCLUSIONS

1. Mixtures of DNA from three or more individuals were obtained from the swab of the handle of the knife (10238970), and both of the swabs from the handgun (10238971 and 10238972). The predominant DNA profile in these mixtures matches the DNA obtained from Giacomo Cargnoni. The approximate probabilities of selecting an individual, at random, that matches this DNA profile are expressed in the following table:

Population Group	Probability
Caucasian	1 in 8.7 quintillion
African American	1 in 250 quintillion
Hispanic	1 in 16 quintillion

Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in the databases of the Combined DNA Index System (CODIS).

DNA profile frequency calculations were generated using population data taken from the Journal of Forensic Sciences 1999, 44(6), 1277-1286. The data for the D2S1338 and D19S433 loci was taken from Forensic Science Communications 2001, 3(3).

2. A mixture of DNA from three or more individuals was obtained from the swab of the knife blade (10238968). Giacomo Cargnoni is included as a possible major contributor to this mixture. Due to the number of possible low level contributors to this mixture, the minor types are unsuitable for comparisons or for searching in CODIS.
3. A low level mixture of DNA from two or more individuals was obtained from the swab of the magazine (10238973). Due to the number of possible low level contributors to this mixture, the results are unsuitable for comparisons or for searching in CODIS.

DISPOSITION OF EVIDENCE

All items were returned to the Property Room. Remaining extracted DNA was impounded on Barcode #10264331.


David Cornacchia ID# 8815

Criminalist

September 3, 2013

Technical Review OK Date 9/5/13

Administrative Review FO Date 9/6/13

2/2/20

20

Table 1 - DNA Typing Results

Description	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	Amel	D5S818	FGA
10238968 Swab from the blade of the knife	10, 13, 14	29, 30, 30.2, 32.2 [31.2]*	8, 10	10, 12, 13*	15, 16, 18	7, 8 [6]	11, 12	11 [13]	16*, 17, 18, 23*	13, 14	15, 16*, 18*, 19	8*, 11, 12	12*, 14 [18]*	X, Y	11, 12, 13	19, 21*, 23
10238970 Swab from the handle of the knife	10, 14	29, 30*, 32.2	10	10*, 11*, 12	15*, 16, 18 [17]*, [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18*	13, 14 [15]*	15, 16*, 19	8*, 11*, 12*	14	X, Y	11, 13	19*, 23*
10238971 Swab of textured area of handgun	10, 14	29, 32.2	10	10, 12	16, 17*, 18 [15]*	7, 8 [9.3]*	11, 12 [8]*, [10]*, [13]*	11 [9]*	17, 18*	13, 14 [12]*	14*, 15, 19	8*, 11, 12*	14	X, Y	9*, 11, 12*, 13	19*, 23*
10238972 Swab from entire surface of the handgun	10, 14	29, 32.2 [30]*, [33.2]*	10	10, 12 [11]*	16, 18 [14]*, [15], [19]*	7, 8 [6]*, [9.3]*	11, 12	11	17, 18 [23]*	13, 14 [15]*	15, 19 [16]*, [17]*	11, 12 [8]*	14	X, Y	11, 13 [12]*	19, 23 [21]*, [24]*
10238973 Swab from entire surface of magazine	10, 13*, 14	29*, 31*, 32.2	10, 11*	10*, 11*, 12*	15*, 16, 17*, 18	7, 8*, 9.3*	11, 12 [8]*	11	17*, 18*, 19*	13, 14, 15*	15*, 16*, 17*, 19*	8*, 11*, 12*	14	X, Y	11, 13*	19*, 23*, 24*
1023649 Reference sample: Giacomo Cargnoni	10, 14	29, 32.2	10	10, 12	16, 18	7, 8	11, 12	11	17, 18	13, 14	15, 19	11, 12	14	X, Y	11, 13	19, 23

[] = allele likely from a minor contributor

* = allele that was detected in the stochastic range



Admin. Docs. JUN 11 2013
SAN DIEGO POLICE DEPARTMENT

Forensic Science Laboratory DNA Request Form

If emailed, must be sent as attachment to: labrequests@pd.sandiego.gov

(As more information is added, form will expand to 2nd page)



Victim(s): BUTERA, Richard #5876

Suspect(s): CARGNONI, Giacomo

Incident #: 13060000530 Case #: 13-0215954

Date of Crime: 06/01/2013 Today's Date: 06/10/2013

Requestor Name and ID #: Leahy #5869 Investigative Unit: Homicide / Team-V

Phone #: [REDACTED] M.S. # 713 Charge(s): 245 P.C.

Email: [REDACTED]

Case Priority:

☐ Lead ☐ Issuing
☐ Prelim. _____
☐ Trial

Attorney Information:
(mandatory for Prelim or Trial)

DDA: _____

Phone: _____

ITEMS ANALYZED AND METHODS USED ARE AT THE DISCRETION OF THE LABORATORY

Request for ALPS computer or latent print comparisons must be submitted on form PD-299

Crime Scenario (brief description of events, or for guns, circumstances leading to collection):

During a traffic stop on a 245-gun vehicle, the suspect, CARGNONI, threatened officers and was shot and killed by police.

Scene Evidence to be DNA Tested:

PT/Barcode #	Item #	Item Description
10233622	3	Knife
10233630	10	Gun

DNA Service Requested: A DNA sample was obtained from CARGNONI during his autopsy. I am requesting DNA work be completed on both the firearm recovered from CARGNONI's vehicle and the knife he threatened the officers with.

Reference Samples from available suspect(s) and victim(s):

Note: the presence of a suspect(s) DNA profile in the CODIS database does not eliminate the need to collect a reference sample.

Name: CARGONI, Giacomo	PT/Barcode: 10233649	Item #: 26	<input checked="" type="checkbox"/> (S)	<input type="checkbox"/> (V)
Name: _____	PT/Barcode: _____	Item #: _____	<input type="checkbox"/> (S)	<input type="checkbox"/> (V)
Name: _____	PT/Barcode: _____	Item #: _____	<input type="checkbox"/> (S)	<input type="checkbox"/> (V)

Sergeant Name: M. DEL TORO Phone #: [REDACTED]



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**

CRIME SCENE UNIT LABORATORY REPORT



VICTIM: BUTERA, SDPD Officer Richard
SUSPECT: CARGNONI, Giacomo
CHARGE: **Special Investigation (OIS)/245(a)(2) PC**
INCIDENT #: 13060000530
CASE #: **13-021594/13-021595**
HOMICIDE TEAM 5: Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT: June 1, 2013 (Saturday)
SCENE LOCATION: 100 Sea World Drive
CRIME SCENE SPECIALIST: Jennifer C. Sanders
CRIMINALIST: Eugene LaChimia

CRIME SCENE UNIT REPORT 2

Evidence Processing

I received the evidence items listed below from the Headquarters Property Room on June 17, 2013. I processed these items on June 17, 2013, starting at approximately 1036 hours.

10233622: One "OSBORNE" black handled folding knife.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

Results:

10238967: One lift of developed prints was collected.

10238968: One swab of possible DNA evidence was collected from the blade of the knife, after fingerprint processing.

10238970: One swab of possible DNA evidence was collected from the handle of the knife, after fingerprint processing.

10233630: One "DESERT EAGLE 9mm" handgun with serial number [REDACTED] and one magazine.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

CRIME SCENE UNIT
Crime Scene Unit Report 2
Incident #13060000530
Case #13-021594
June 18, 2013
Page 2 of 2

Results: No latent prints developed.
10238971: One swab of possible DNA evidence was collected from the textured areas of the handgun.
10238972: One swab of possible DNA evidence was collected from the entire surface of the handgun, after fingerprint processing.
10238973: One swab of possible DNA evidence was collected from the entire surface of the magazine, after fingerprint processing.

Latent Print Summary

10238967: One latent print card containing one lift of developed prints.

Discs


10238979: One "Master" DVD containing ten digital (note page) images.

10238980: One "Working Copy" DVD containing ten digital (note page) images.

DISPOSITION OF EVIDENCE

The processed evidence items and the resulting items, which were each assigned a unique barcode number, were impounded under **Incident #13060000530**. Items were impounded in the **Headquarters Property Room**, with the following exceptions:

The "Master" and "Working Copy" discs were impounded in the **Laboratory** files.


Jennifer C. Sanders
Crime Scene Specialist
June 18, 2013

jcs

Technical Review: Kmw #8245 Date: 06.18.2013

Administrative Review: 223 8791 Date: 6.19.2013

Cornacchia, David

From: Leahy, Christopher
Sent: Friday, August 16, 2013 9:48 AM
To: Cornacchia, David
Subject: Re: DNA request for Case #13-021594 (OIS)

Yes! Thank you

Sent from Christopher Leahy's iPhone

On Aug 16, 2013, at 8:08, "Cornacchia, David" [REDACTED] wrote:

Detective Leahy,

Are you okay with the consumption of the swabs collected off of the knife and gun in this case. Doing so, maximizes my chances of getting a usable DNA profile.

Also, is there a DDA assigned?

Thanks,

David Cornacchia
[REDACTED]

Adm. Pro 9/6/13 39

Analyst:

[illegible]

Originals/Reprints
8/2/80



13-021594
DC 8/22/13

One (1) SDPD Freezer Packet labeled in part "Inc #13060000530" cntng:

- 1) One (1) sealed (w/ evidence tape) manila envelope (ME) labeled in part "Barcode #10238968 One swab of possible DNA evidence collected from the blade of the knife (10233622)" cntng:

10238968 One (1) swab w/ black staining

- This swab was consumed for DNA analysis

- 2) One (1) sealed (w/ evidence tape) ME labeled in part "Barcode #10238970 One swab of possible DNA evidence collected from the handle of the knife (10233622)" cntng:

10238970 One (1) swab w/ black staining

- This swab was consumed for DNA analysis

- 3) One (1) sealed (w/ evidence tape) ME labeled in part "Barcode #10238971 One swab of possible DNA evidence collected from the textured areas of the handgun (10233630)" cntng:

10238971 One (1) swab w/ no apparent discoloration

- This swab was consumed for DNA analysis

- 4) One (1) sealed (w/ evidence tape) ME labeled in part "Barcode #10238972 One swab of possible DNA evidence collected from the entire surface of the handgun (10233630)" cntng:

10238972 One (1) swab w/ black staining

- This swab was consumed for DNA analysis

- 5) One (1) sealed (w/ evidence tape) ME labeled in part "Barcode #10238973 One swab of possible DNA evidence collected from the entire surface of the magazine (10233630)" cntng:


10238973 One (1) swab w/ black staining

- This swab was consumed for DNA analysis

San Diego Police Department Forensic Biology Unit - BioRobot EZ1 Extraction Worksheet

Case: _____

Date: 8/22/2013

Analyst: 

	Item / Description	Comments
1	10168834_12-020981	
2	10168835_12-020981	
3	10168843_12-020981	
4	10168844_12-020981	
5	10168846_12-020981	
6	10168857_12-020981	
7	10168861_12-020981	
8	10168864_12-020981	
9	10168870_12-020981	
10	10168876_12-020981	
11	10168887_12-020981	
12	10168890_12-020981	
13	10238968_13-021594	
14	10238970_13-021594	
15	10238971_13-021594	
16	10238972_13-021594	
17	10238973_13-021594	
18	RB1	
19	RB2	
20	RB3	
21		
22		
23		
24		
25		

	Item / Description	Comments
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
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48		
49		
50		

☐ EZ1 #1☒ EZ1 #2☐ EZ1 #3☐ EZ1 #4☐ EZ1 #5☐ EZ1 #6☒ EZ1 AdvancedDigest Buffer 750 μ LProt. K (10mg/mL) 30 μ LIncubation (56 C) Start: 1035Prep'd: 3/13/2013Prep'd: 3/13/2013End: 1235Elution Volume (μ L)

40

REAGENT STRIP LOT # QI3-13☐ TE Elution ☒ dH2O Elution ☐ RNA Added



8/23/13

One (1) sealed (w/ evidence tape) Reference Mouth Swab Collection Kit labeled in part "Barcode #10233649" cntng:

One (1) ME labeled in part "Reference mouth swabs (S) Cargnoni" cntng:

One (1) unlabeled ME cntng:

10233649 Two (2) reference mouth swabs obtained from Giacomo Cargnoni

- Both swabs had faint red/brown staining.
- ~1/4 of one swab was extracted for DNA analysis.

San Diego Police Department Forensic Biology Unit - BioRobot EZ1 Extraction Worksheet

Case: _____

Date: 8/23/2013

Analyst: 

	Item / Description	Comments
1	10153675JG	
2	10233649GC	
3	RBR	
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

	Item / Description	Comments
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		

☐ EZ1 #1☐ EZ1 #2☐ EZ1 #3☐ EZ1 #4☐ EZ1 #5☒ EZ1 #6☐ EZ1 AdvancedDigest Buffer 190 μ LProt. K (10mg/mL) 10 μ L

Incubation (56 C) Start: 0550

Prep'd: 3/13/2013

Prep'd: 3/13/2013

End: 0625

Elution Volume (μ L)

200

REAGENT STRIP LOT # QI3-13

☒ TE Elution ☐ dH2O Elution ☐ RNA Added☒ Trace Protocol☐ Normalization Protocol

Case: _____

Quant Date: 8/23/2013

Analyst: _____

Master Mix Prep:

Reagent	samples	X vol (μl)	Total (μl)*
QPCR Reaction Mix	28	12.5	409.8
QPCR Primer Sets	28	10.5	344.3


* = Total volume increased to allow for pipetting variation

Quantifiler Duo Lot #: 1304053
 7500 Instrument: 2
 Setup: Nimbus 1

Equations		Human		Concentration = 10 [^] ((Ct - 28.732382)/-3.412)				Cal 1	25.516	26.52		
		Male		Concentration = 10 [^] ((Ct - 29.806067)/-3.450)				Cal 2	27.642	28.77		
		vol.	Conc. (ng/μL)	Ratio	IPC	Well	Sample Name	vol.	Conc. (ng/μL)	Ratio	IPC	
Well	Sample Name	(μL)	Human	Male	(H/M)	CT			Human	Male	(H/M)	CT
A1	Calibrator 1	2	8.765	8.959	0.978	30.20	A7					
B1	Calibrator 2	2	2.088	1.997	1.046	29.95	B7					
C1	TE_Amp_Blank	2	undet.	undet.		29.89	C7					
D1	10168834_12-020981	2	0.072	0.044	1.610	29.95	D7					
E1	10168835_12-020981	2	0.006	0.004	1.619	29.99	E7					
F1	10168843_12-020981	2	undet.	0.004		29.81	F7					
G1	10168844_12-020981	2	0.027	0.031	0.865	29.85	G7					
H1	10168846_12-020981	2	0.001	0.004	0.302	29.82	H7					
A2	10168857_12-020981	2	0.005	0.009	0.524	29.83	A8					
B2	10168861_12-020981	2	0.184	0.208	0.882	29.87	B8					
C2	10168864_12-020981	2	0.006	0.002	3.088	29.90	C8					
D2	10168870_12-020981	2	0.002	undet.		29.85	D8					
E2	10168876_12-020981	2	0.003	undet.		29.88	E8					
F2	10168887_12-020981	2	0.006	0.008	0.697	29.89	F8					
G2	10168890_12-020981	2	0.010	0.002	4.181	29.88	G8					
H2	10238968_13-021594	2	0.011	0.019	0.570	29.89	H8					
A3	10238970_13-021594	2	0.007	0.006	1.183	29.94	A9					
B3	10238971_13-021594	2	0.013	0.009	1.411	29.90	B9					
C3	10238972_13-021594	2	0.139	0.085	1.638	29.96	C9					
D3	10238973_13-021594	2	0.007	undet.		29.83	D9					
E3	RB1	2	undet.	undet.		30.01	E9					
F3	RB2	2	undet.	undet.		29.93	F9					
G3	RB3	2	undet.	undet.		30.00	G9					
H3	10153675JG	2	0.976	1.063	0.918	29.88	H9					
A4	10233649GC	2	1.620	1.645	0.985	29.95	A10					
B4	RBR	2	undet.	undet.		29.98	B10					
C4	Calibrator 1(II)	2	10.734	11.098	0.967	30.16	C10					
D4	Calibrator 2(II)	2	2.129	2.223	0.958	29.96	D10					
E4							E10					
F4							F10					
G4							G10					
H4							H10					
A5							A11					
B5							B11					
C5							C11					
D5							D11					
E5							E11					
F5							F11					
G5							G11					
H5							H11					
A6							A12					
B6							B12					
C6							C12					
D6							D12					
E6							E12					
F6							F12					
G6							G12					
H6							H12					

**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**

AmpF/STR Identifiler Plus - PCR Amplification Worksheet

Case: _____ Date: 8/23/2013 Analyst: 

Identifiler Plus Kit Lot #: IDP2-13
TE Date Prep : 3/13/2013
Thermal Cycler # : 1

Master Mix Prep:

Reagent	# Samples	X vol (μl)	Total (μl)*
PCR Master Mix	18	10	253.4
PCR Primer Set	18	5	126.7

* Total volume has been increased to allow for pipetting variation

☒ Nimbus assisted setup ☐ BioRobot Universal Setup ☐ WellAware assisted setup ☐ Manual setup

Tube #	Item/Description	DNA conc. (ng/ul)	Sample (uL)	TE (uL)	Final DNA Volume
1	9947A_Control	n/a	6.0	4.0	10μL
2	TE_Amp_Blank	undet.	0.0	10.0	10μL
3	10168834_12-020981 [conc]	0.072	16 to 10	0.0	10μL
4	10168835_64_12-020981 [conc]		10.0	0.0	10μL
5	10168843_90_12-020981 [conc]		10.0	0.0	10μL
6	10168844_12-020981 [conc]	0.027	10.0	0.0	10μL
7	10168846_87_12-020981 [conc]		10.0	0.0	10μL
8	10168857_70_76_12-020981 [conc]		10.0	0.0	10μL
9	10168861_12-020981	0.184	6.0	4.0	10μL
10	10238968_13-021594 [conc]	0.011	10.0	0.0	10μL
11	10238970_13-021594 [conc]	0.007	10.0	0.0	10μL
12	10238971_13-021594 [conc]	0.013	10.0	0.0	10μL
13	10238972_13-021594	0.139	8.0	2.0	10μL
14	10238973_13-021594 [conc]	0.007	10.0	0.0	10μL
15	RB1_2_3 *	[conc]	10.0	0.0	10μL
16	10153675JG (1/10)	0.098	6.5	3.5	10μL
17	10233649GC (1/10)	0.162	4.0	6.0	10μL
18	RBR (1/10)	undet.	6.5	3.5	10μL
19					10μL
20					10μL
21					10μL
22					10μL
23					10μL
24					10μL

[conc] = Samples Concentrated to ~10uL using a DNA Speed-Vac

* RB1, RB2 and RB3 were combined during sample concentration

**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
3130 Sample Setup Sheet**

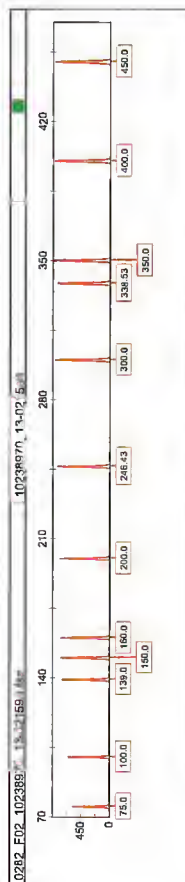
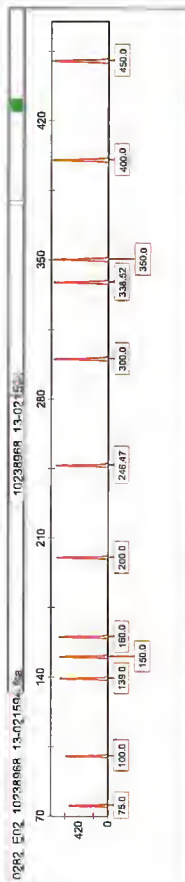
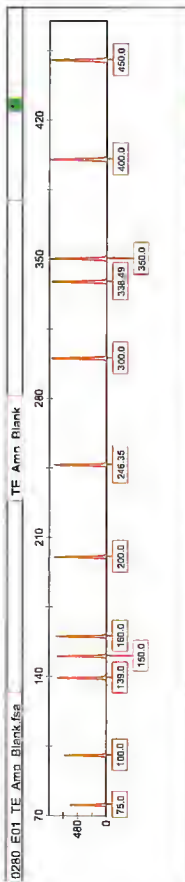
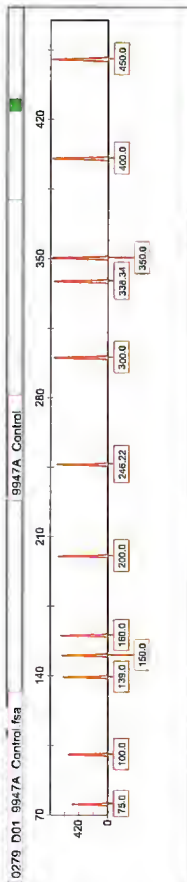
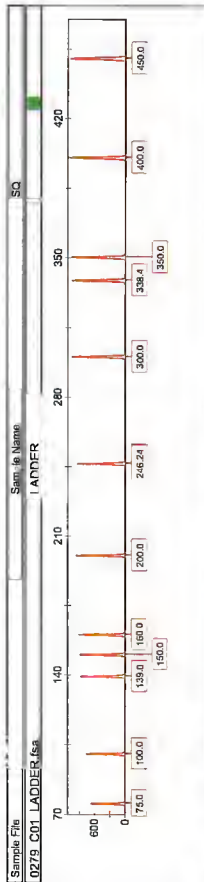
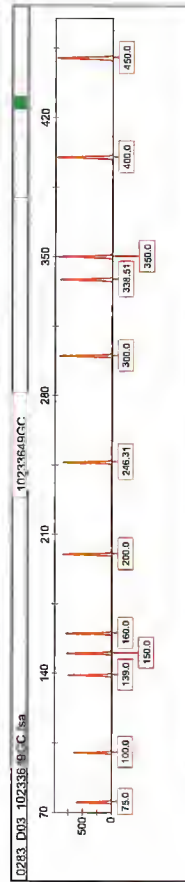
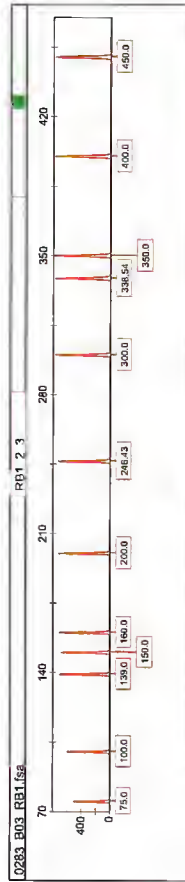
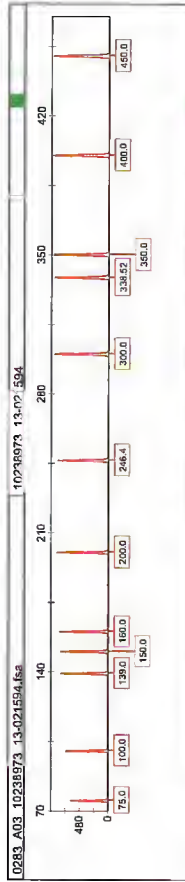
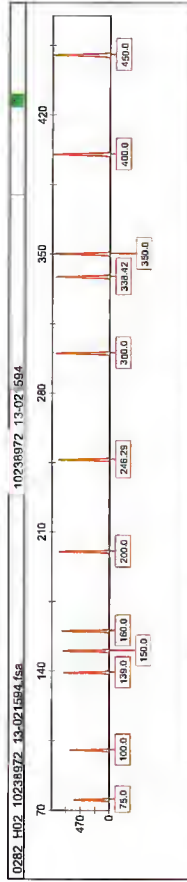
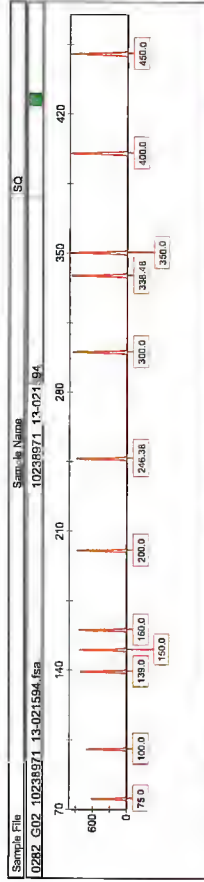
Case #: _____ Date: 8/24/2013 Analyst: _____

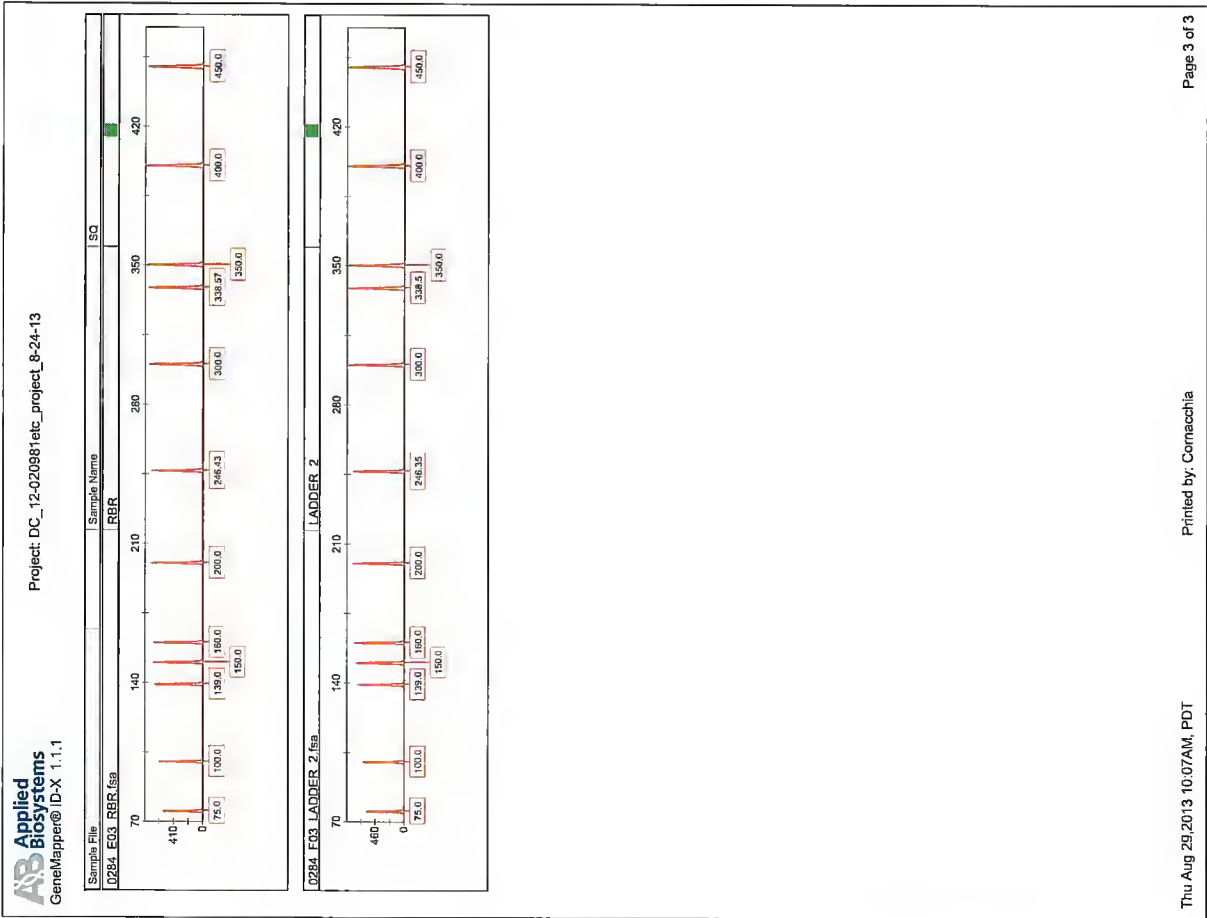
	1	2	3	4	5	6	7	8	9	10	11	12
A	Formamide_Blank	10168844_12-020981	10238973_13-021594	RBR								
B	Formamide_SS	10168846_87-12-020981	RB1_2_3	007_Control								
C	LADDER	10168857_70-76_12-020981	10153675JG	TE_Amp_Blank								
D	9947A_Control	10168861_12-020981	10233649GC	Yfiler_LADDER_2								
E	TE_Amp_Blank	10238968_13-021594	RBR									
F	10168834_12-020981	10238970_13-021594	LADDER_2									
G	10168835_64_12-020981	10238971_13-021594	Yfiler_LADDER_R									
H	10168843_90_12-020981	10238972_13-021594	10248601CG									

Reagent	Lot #	vol (µl)	# of samples + 6	Total (µl)
Form.	12027204	17.4	34	591.6
Int.Std.	1305144	0.6	34	20.4
Ladder	IDP2-13	2		

Instrument: 3130C
Sample setup: Corbett CAS-1200

	Sample Name	Sample Type	Analysis Method	Panel	Size Standard	SQ	CGQ
1	Formamide_Blank	Negative Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		NA
2	Formamide_ISS	Negative Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
3	LADDER	Allelic Ladder	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
4	9947A_Control	Positive Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
5	TE_Amp_Blank	Negative Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
6	10168834_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
7	10168835_64_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
8	10168843_90_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
9	10168844_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
10	10168846_87_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
11	10168857_70_76_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
12	10168861_12-020981	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
13	10238968_13-021594	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
14	10238970_13-021594	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
15	10238971_13-021594	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
16	10238972_13-021594	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
17	10238973_13-021594	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
18	RB1_2_3	Negative Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
19	10153675JG	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
20	10233649GC	Sample	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
21	RBR	Negative Control	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		
22	LADDER_2	Allelic Ladder	ID-X Identifier Plus	Identifier_Plus_Panels_v1X	CE_G5_Identifier_Plus_GS500		

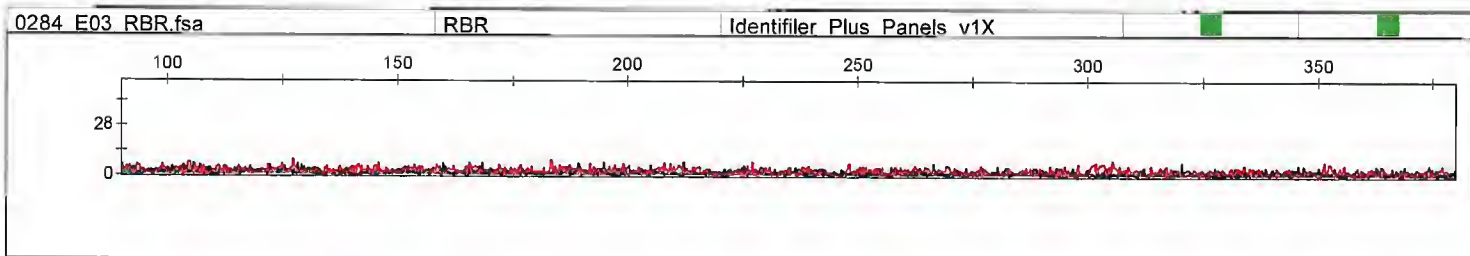
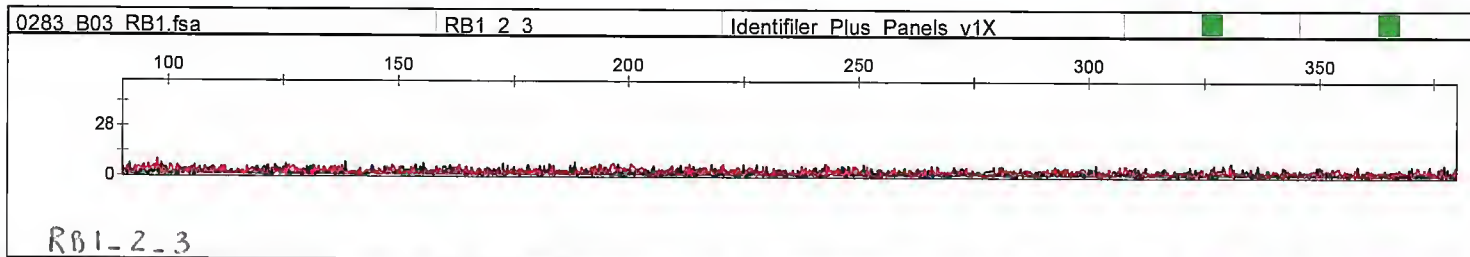
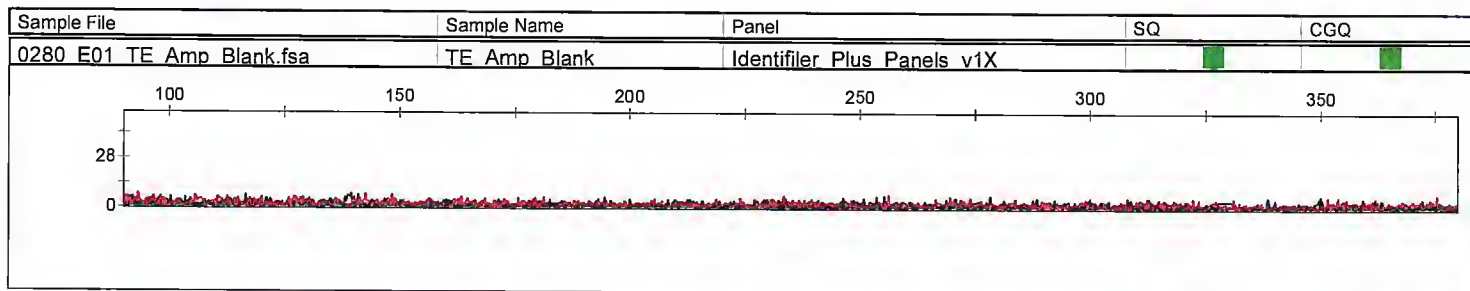


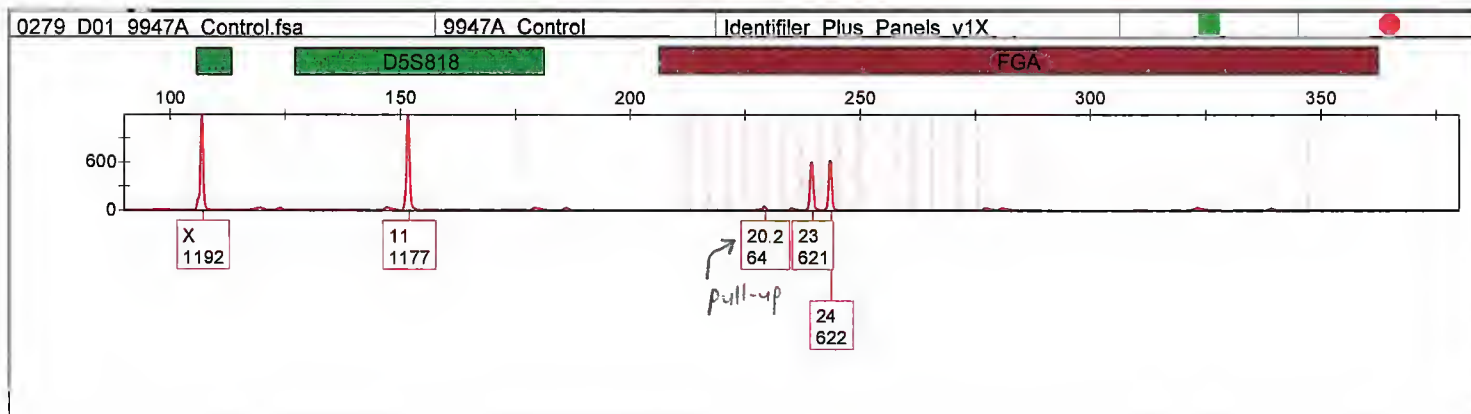
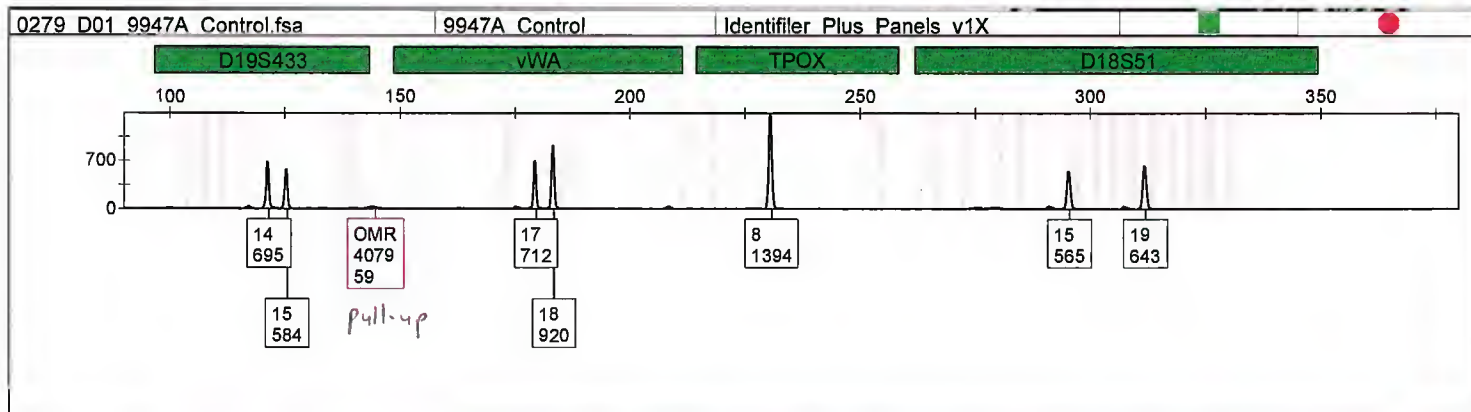
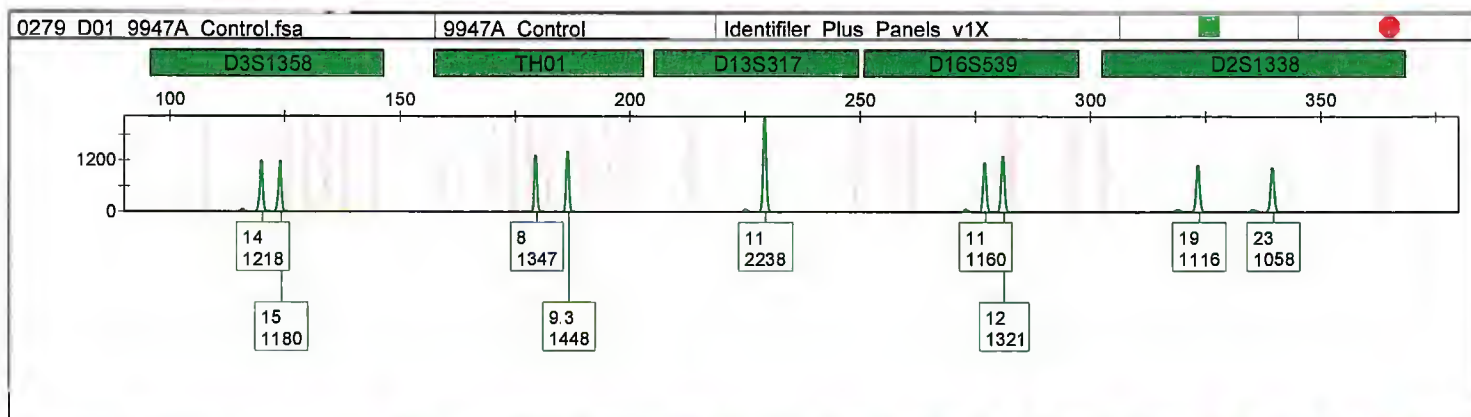
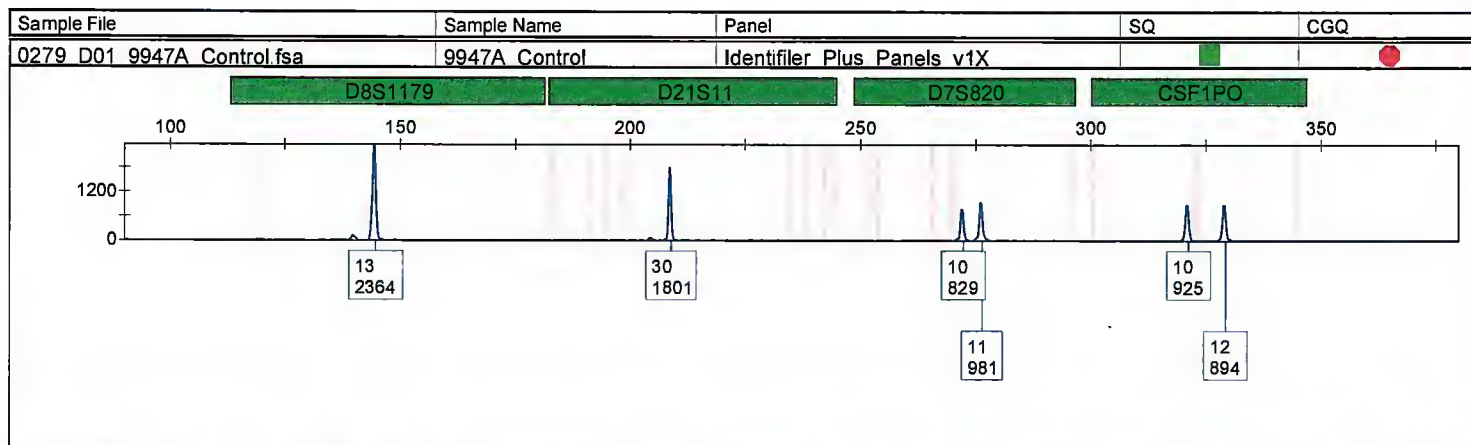


Thu Aug 29 2013 10:07AM, PDT

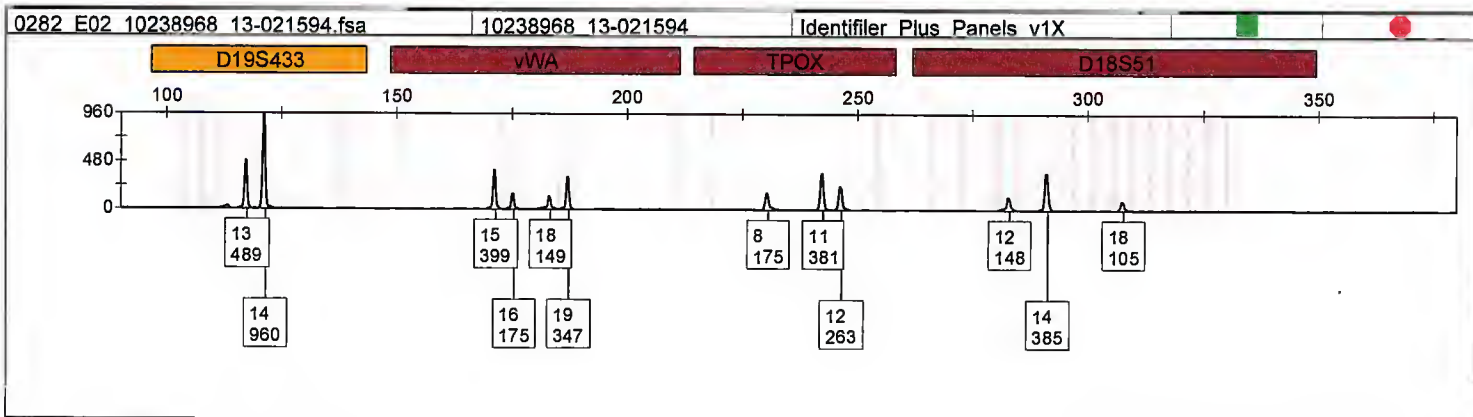
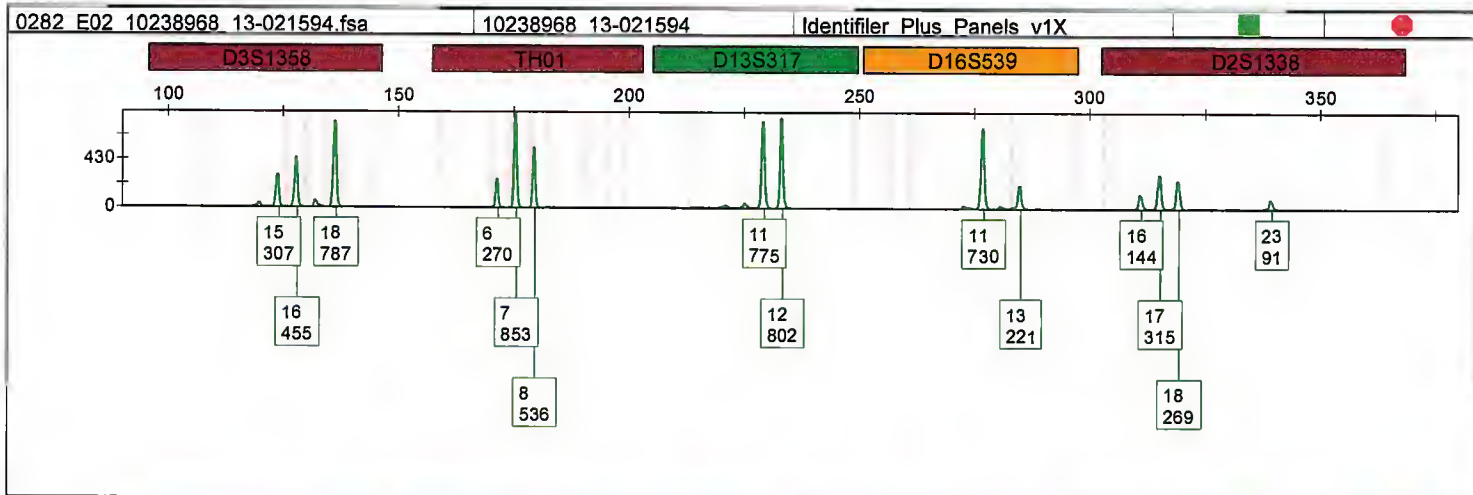
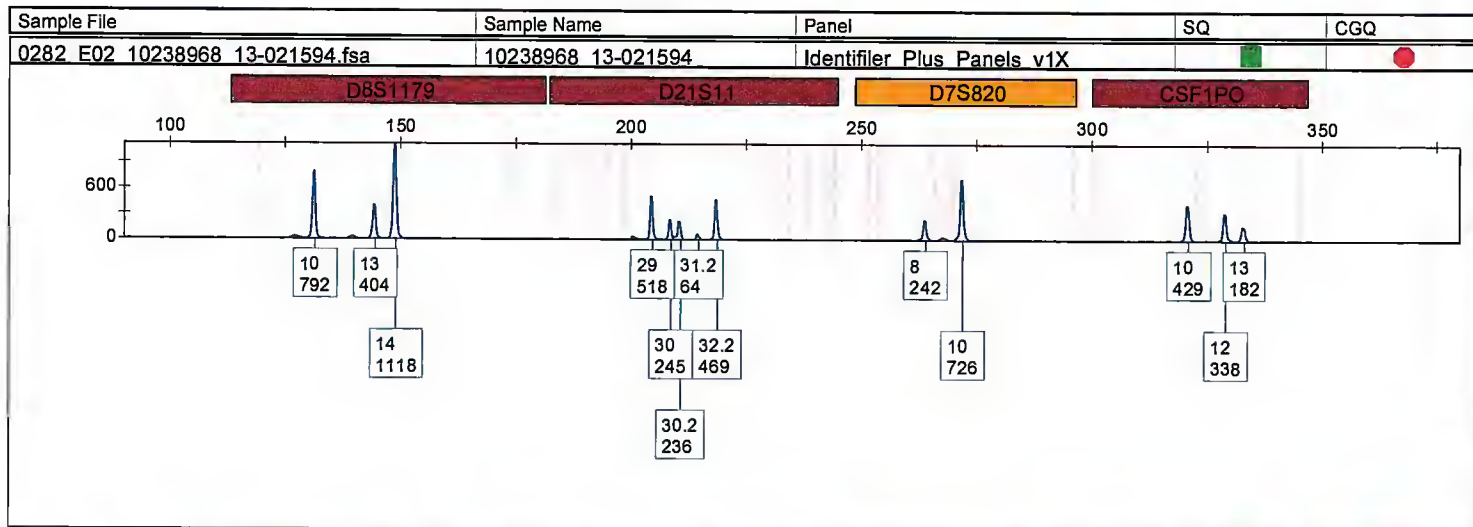
Printed by: Cornacchia

Page 3 of 3

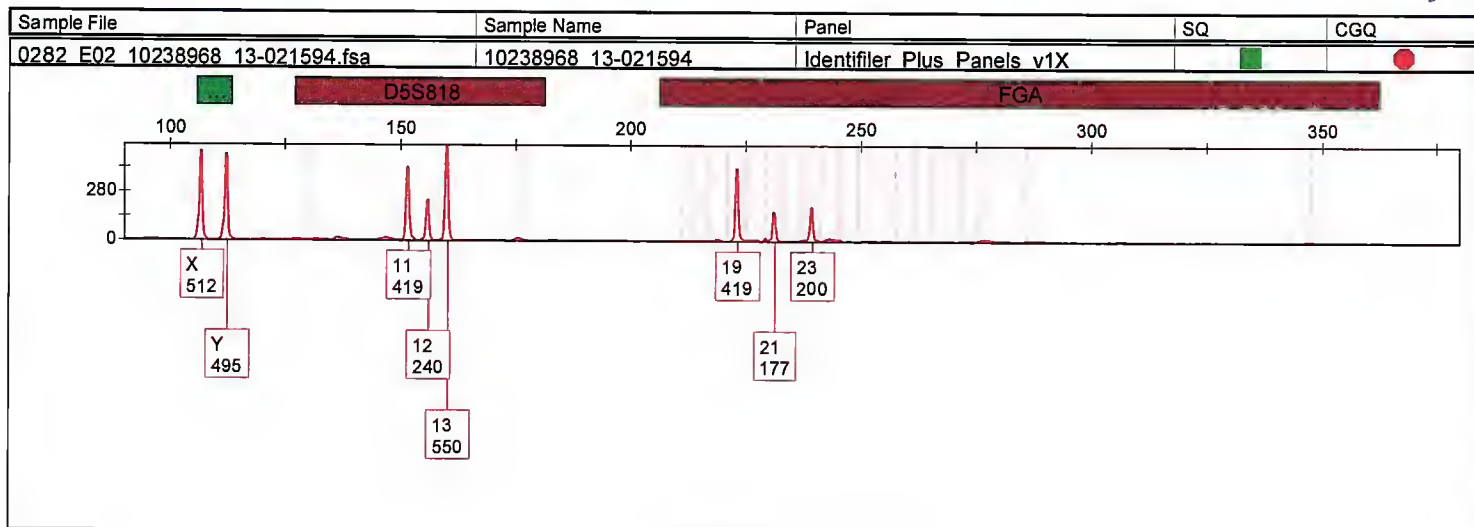




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1	■	B,1	0279_D01_9947A_Control.fsa			139.82	151	4018
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3	■	B,3	0279_D01_9947A_Control.fsa			204.57	121	4958
4	■	B,4	0279_D01_9947A_Control.fsa	D21S11	30	208.53	1801	5017
5	■	B,5	0279_D01_9947A_Control.fsa	D7S820	10	272.03	829	5962
6	■	B,6	0279_D01_9947A_Control.fsa	D7S820	11	276.06	981	6022
7	■	B,7	0279_D01_9947A_Control.fsa	CSF1PO	10	320.92	925	6688
8	■	B,8	0279_D01_9947A_Control.fsa			324.89	59	6747
9	■	B,9	0279_D01_9947A_Control.fsa	CSF1PO	12	328.91	894	6807
10	■	G,1	0279_D01_9947A_Control.fsa			116.04	72	3666
11	■	G,2	0279_D01_9947A_Control.fsa	D3S1358	14	119.99	1218	3726
12	■	G,3	0279_D01_9947A_Control.fsa	D3S1358	15	123.98	1180	3786
13	■	G,4	0279_D01_9947A_Control.fsa	TH01	8	179.38	1347	4578
14	■	G,5	0279_D01_9947A_Control.fsa	TH01	9.3	186.38	1448	4683
15	■	G,6	0279_D01_9947A_Control.fsa			225.26	91	5266
16	■	G,7	0279_D01_9947A_Control.fsa	D13S317	11	229.22	2238	5325
17	■	G,8	0279_D01_9947A_Control.fsa			272.97	71	5976
18	■	G,9	0279_D01_9947A_Control.fsa	D16S539	11	277.0	1160	6036
19	■	G,10	0279_D01_9947A_Control.fsa	D16S539	12	281.04	1321	6096
20	■	G,11	0279_D01_9947A_Control.fsa			319.24	84	6663
21	■	G,12	0279_D01_9947A_Control.fsa	D2S1338	19	323.34	1116	6724
22	■	G,13	0279_D01_9947A_Control.fsa			335.4	89	6904
23	■	G,14	0279_D01_9947A_Control.fsa	D2S1338	23	339.41	1058	6964
24	■	Y,1	0279_D01_9947A_Control.fsa	D19S433	14	121.31	695	3746
25	■	Y,2	0279_D01_9947A_Control.fsa	D19S433	15	125.25	584	3805
26	■	Y,3	0279_D01_9947A_Control.fsa			144.38	59	4079
27	■	Y,4	0279_D01_9947A_Control.fsa	vWA	17	179.18	712	4575
28	■	Y,5	0279_D01_9947A_Control.fsa	vWA	18	183.12	920	4634
29	■	Y,6	0279_D01_9947A_Control.fsa	TPOX	8	230.5	1394	5344
30	■	Y,7	0279_D01_9947A_Control.fsa	D18S51	15	295.29	565	6308
31	■	Y,8	0279_D01_9947A_Control.fsa			307.65	67	6491
32	■	Y,9	0279_D01_9947A_Control.fsa	D18S51	19	311.76	643	6552
33	■	R,1	0279_D01_9947A_Control.fsa	AMEL	X	106.89	1192	3525
34	■	R,2	0279_D01_9947A_Control.fsa			147.15	63	4116
35	■	R,3	0279_D01_9947A_Control.fsa	D5S818	11	151.6	1177	4176
36	■	R,4	0279_D01_9947A_Control.fsa	FGA	20.2	229.15	64	5324
37	■	R,5	0279_D01_9947A_Control.fsa	FGA	23	239.43	621	5477
38	■	R,6	0279_D01_9947A_Control.fsa	FGA	24	243.53	622	5538

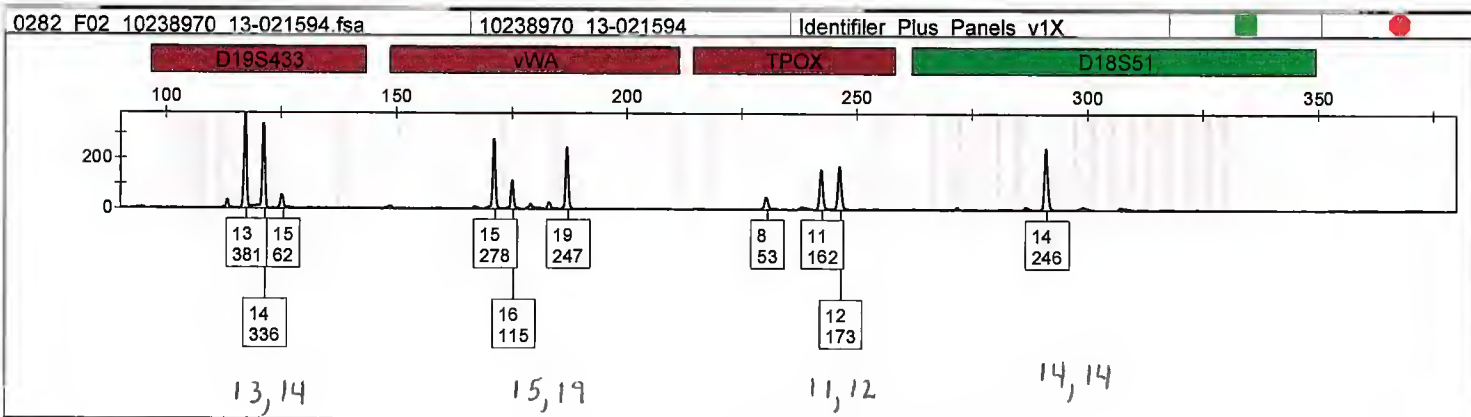
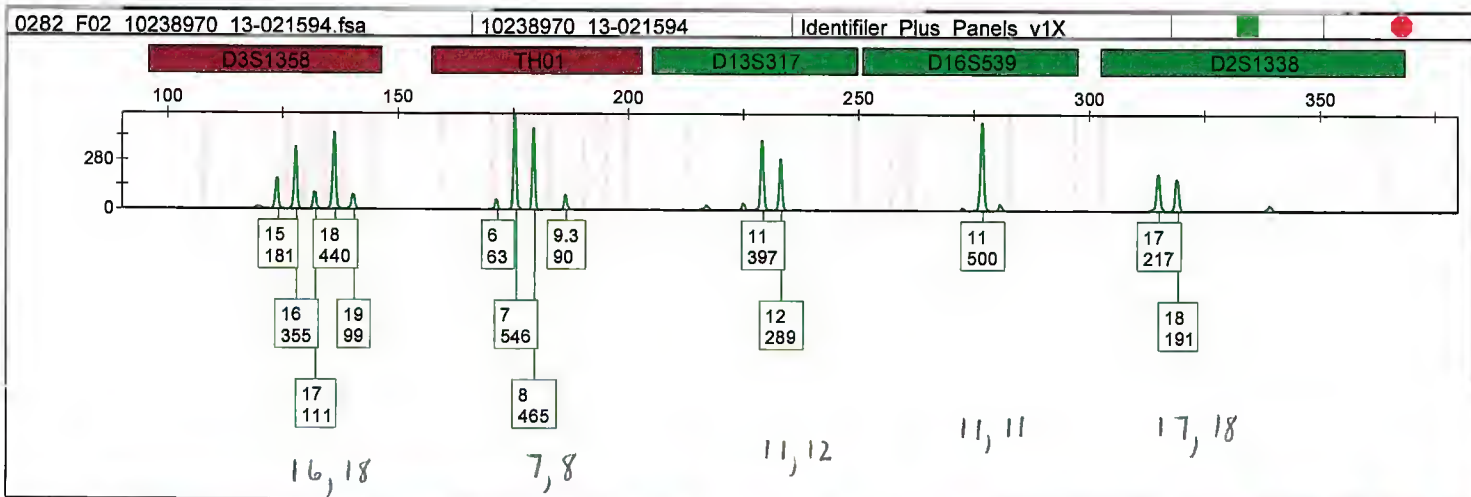
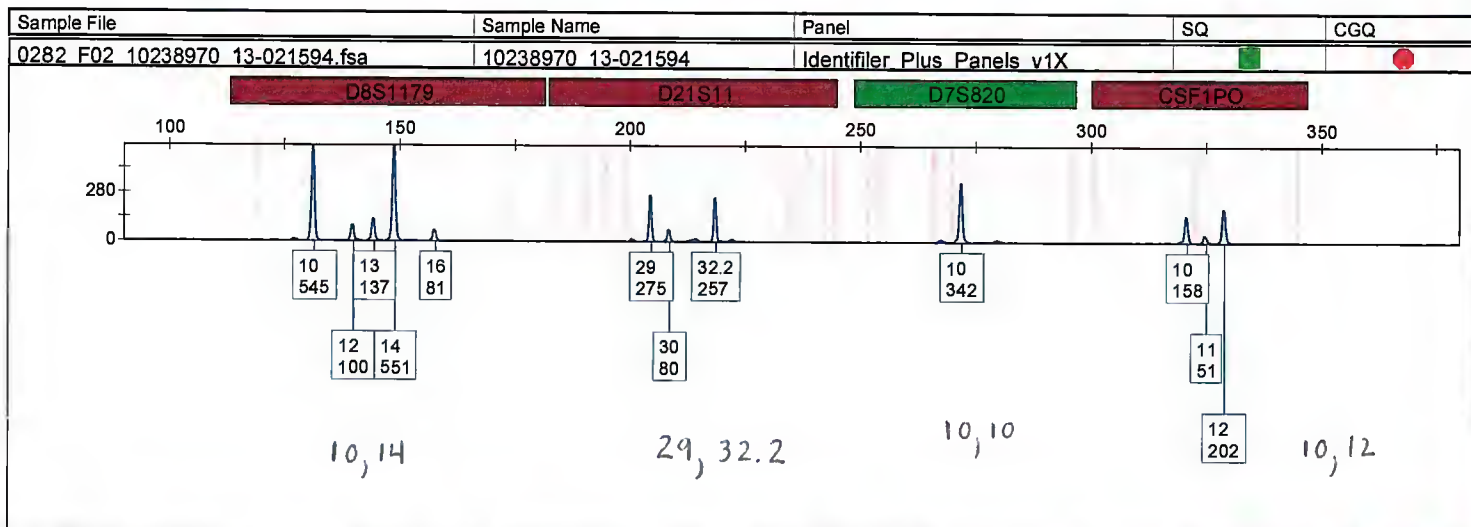


Project: DC_12-020981etc_project_8-24-13

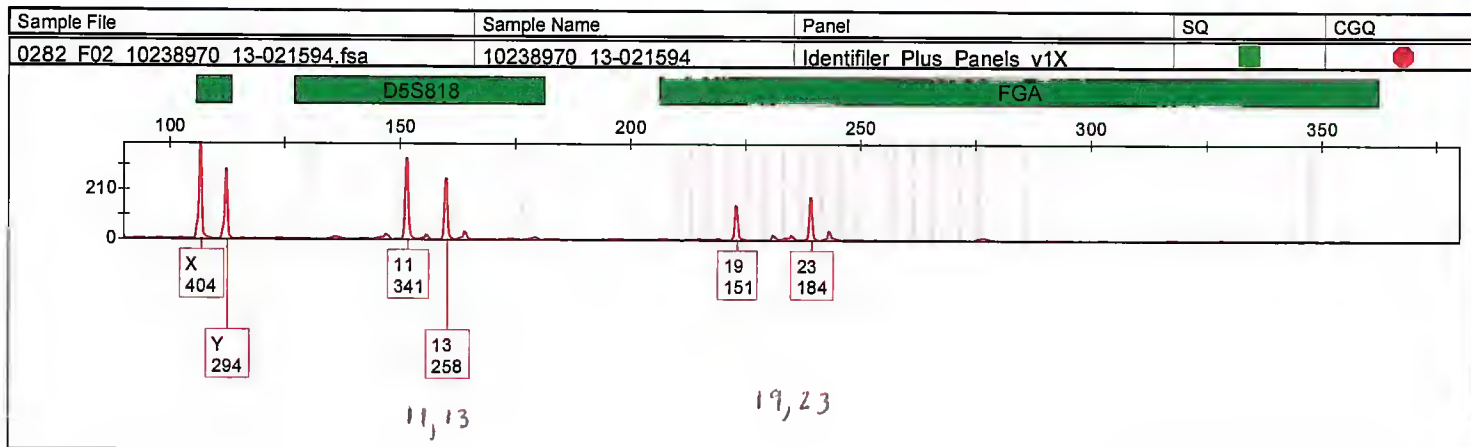


SDPD PROFILE INTERPRETATION/COMPARISON WORKSHEETCase # 13-021594 Date 8/29/2013 Initials Sample ID 10238968Category of Profile☐ Predominant Profile ☐ Mixture w/ assumption(s) ☒ Mixture w/ no assumptionsMinimum Number of Contributors (if sample is a mixture or has a predominant contributor)☒ Two ☒ Three ☐ Four ☐ Five ☐ SixCondition of Profile (Check all that apply)☐ Inhibited ☐ Degraded (or degraded elements) ☒ Contributors with types in the stochastic range
☒ Imbalanced Mixture ☐ Balanced Mixture Locus (loci) triggering balance _____
☐ Loci with <1600rfu present in balanced mixtureDocument Relevant AssumptionsLoci useful for Statistical Calculations (Major Contributors)☐ All loci ☐ Not suitable for comparisons☒ D8S1179 ☒ D21S11 ☒ D7S820 ☐ CSF1PO ☒ D3S1358 ☒ TH01 ☒ D13S317 ☒ D16S539
☐ D2S1338 ☒ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☒ D5S818 ☐ FGALoci useful for Statistical Calculations (Minor Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGAAdditional CommentsReference Sample ID of comparison sampleGiacomo CargnoniReference sample is: ☒ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☒ Major Contributor
☐ DNA Contributor ☐ Minor ContributorReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☐ Major Contributor
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Project: DC_12-020981etc_project_8-24-13



Project: DC_12-020981etc_project_8-24-13

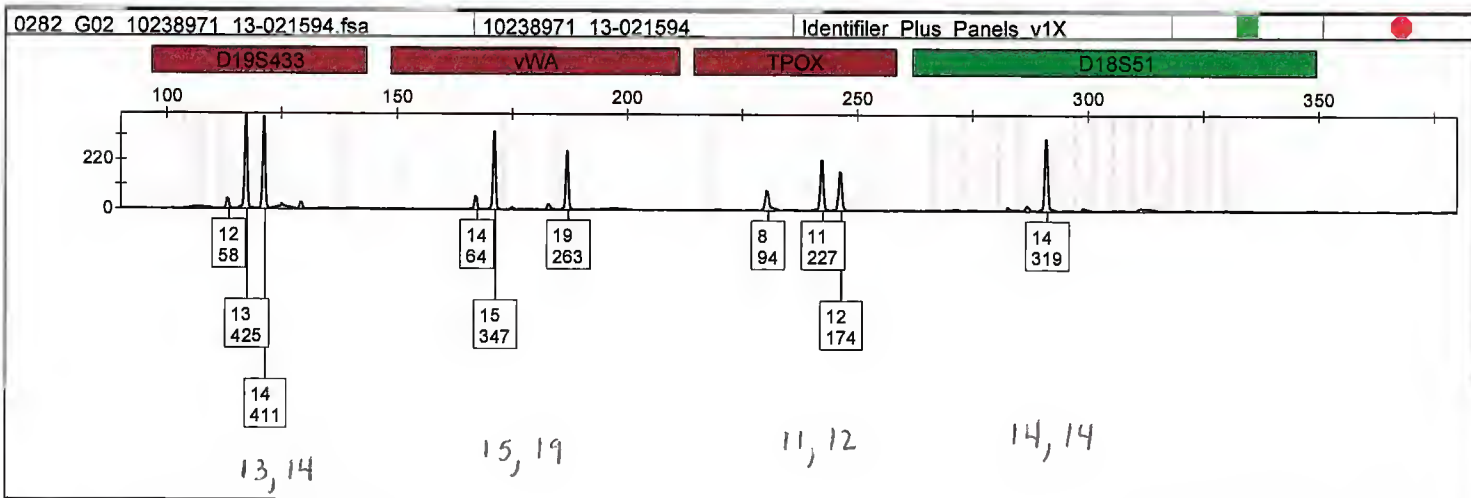
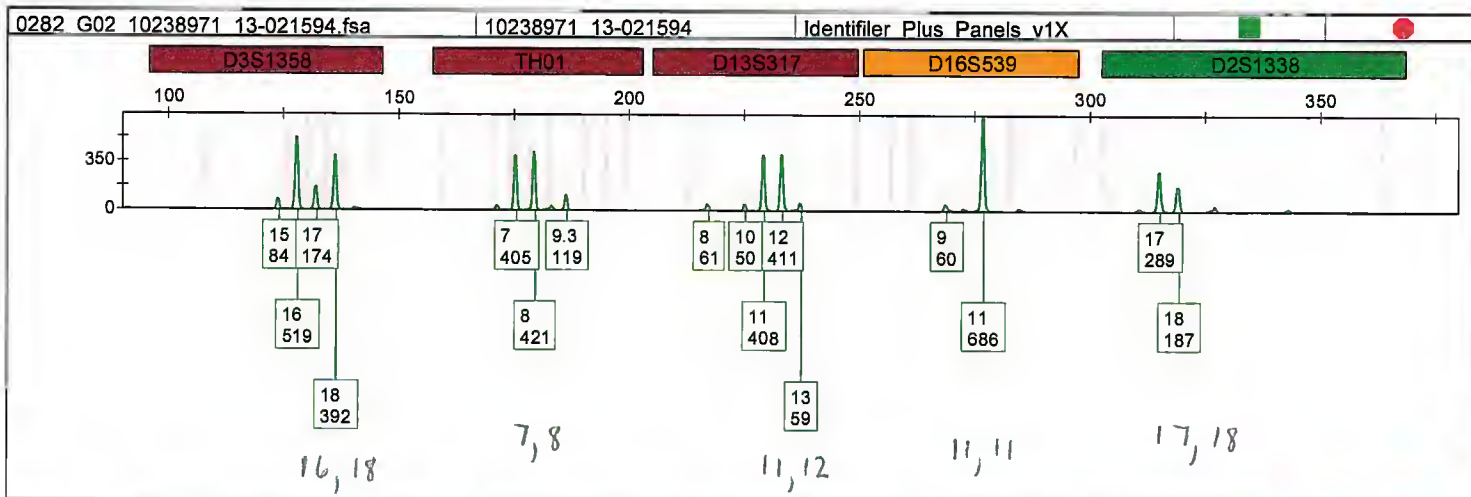
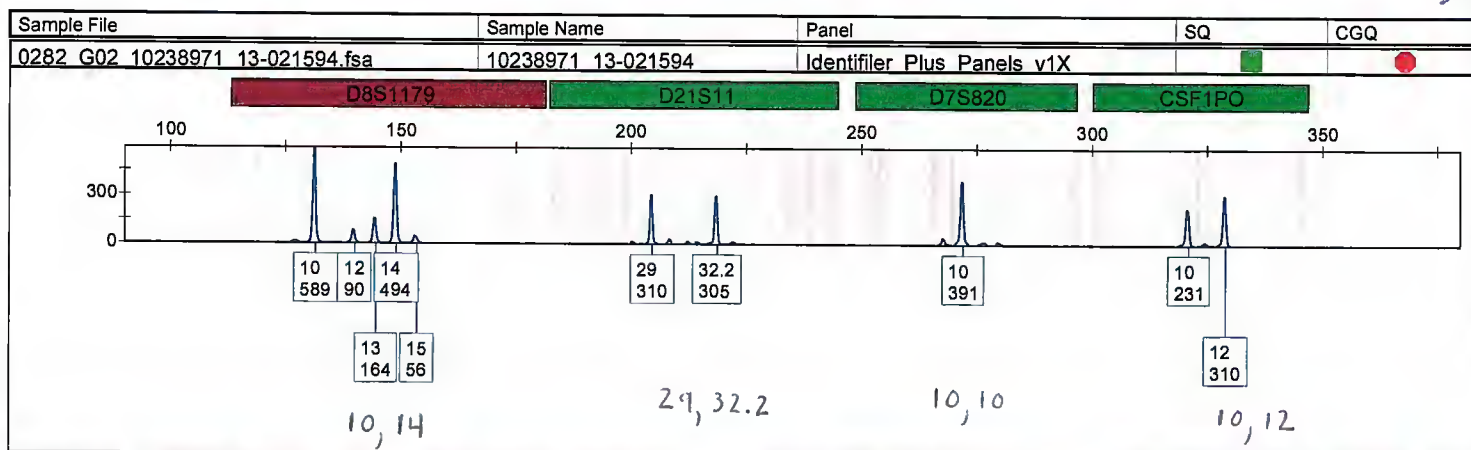


SDPD PROFILE INTERPRETATION/COMPARISON WORKSHEETCase # 13-021594 Date 8/29/2013 Initials Sample ID 10238970Category of Profile☒ Predominant Profile ☒ Mixture w/ assumption(s) ☐ Mixture w/ no assumptionsMinimum Number of Contributors (if sample is a mixture or has a predominant contributor)☐ Two ☒ Three ☐ Four ☐ Five ☐ SixCondition of Profile (Check all that apply)☐ Inhibited ☐ Degraded (or degraded elements) ☒ Contributors with types in the stochastic range
☒ Imbalanced Mixture ☐ Balanced Mixture Locus (loci) triggering balance _____
☐ Loci with <1600rfu present in balanced mixtureDocument Relevant Assumptions

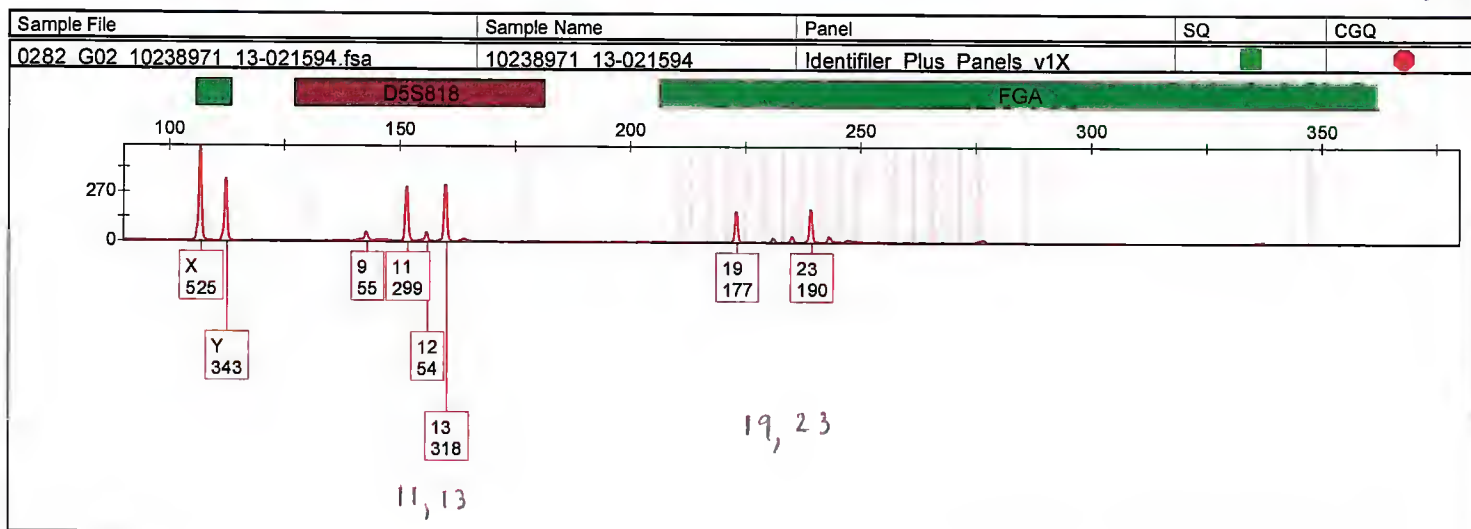
Assuming a predominant contributor.

Loci useful for Statistical Calculations (Major Contributors)☒ All loci ☐ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGALoci useful for Statistical Calculations (Minor Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGAAdditional CommentsReference Sample ID of comparison sampleGiacomo CargnoniReference sample is: ☒ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☒ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor ContributorReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor Contributor

Project: DC_12-020981etc_project_8-24-13



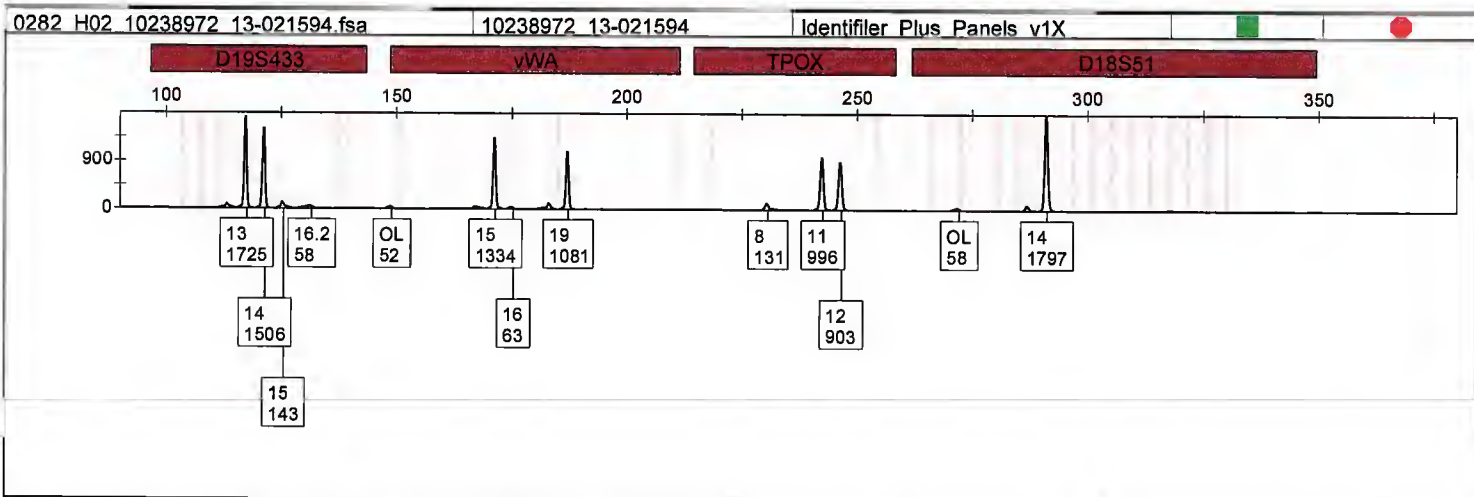
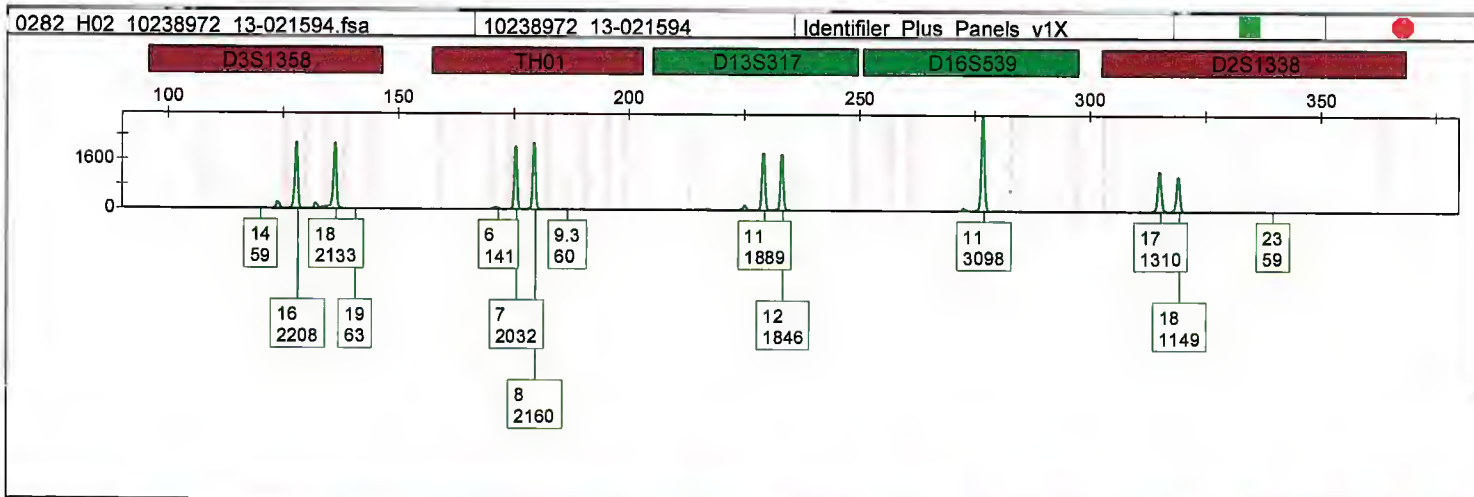
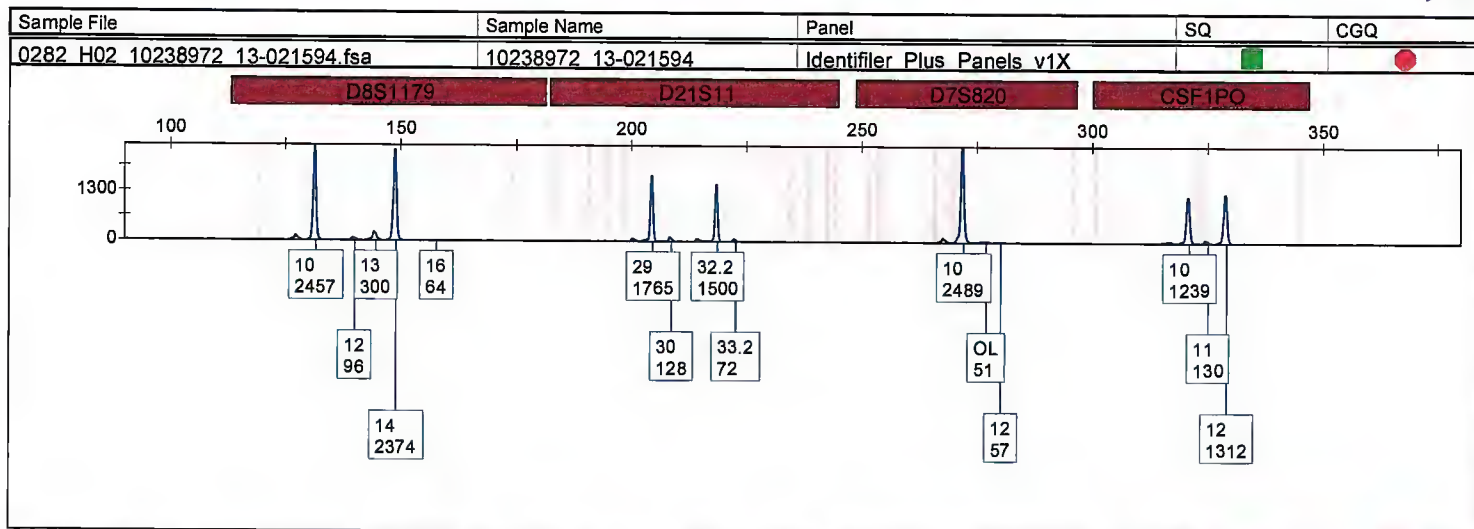
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SDPD PROFILE INTERPRETATION/COMPARISON WORKSHEETCase # 13-021594 Date 8/29/2013 Initials Sample ID 10238971Category of Profile☒ Predominant Profile ☒ Mixture w/ assumption(s) ☐ Mixture w/ no assumptionsMinimum Number of Contributors (if sample is a mixture or has a predominant contributor)☐ Two ☒ Three ☐ Four ☐ Five ☐ SixCondition of Profile (Check all that apply)☐ Inhibited ☐ Degraded (or degraded elements) ☒ Contributors with types in the stochastic range
☒ Imbalanced Mixture ☐ Balanced Mixture Locus (loci) triggering balance _____
☐ Loci with <1600rfu present in balanced mixtureDocument Relevant Assumptions

Assuming a predominant contributor.

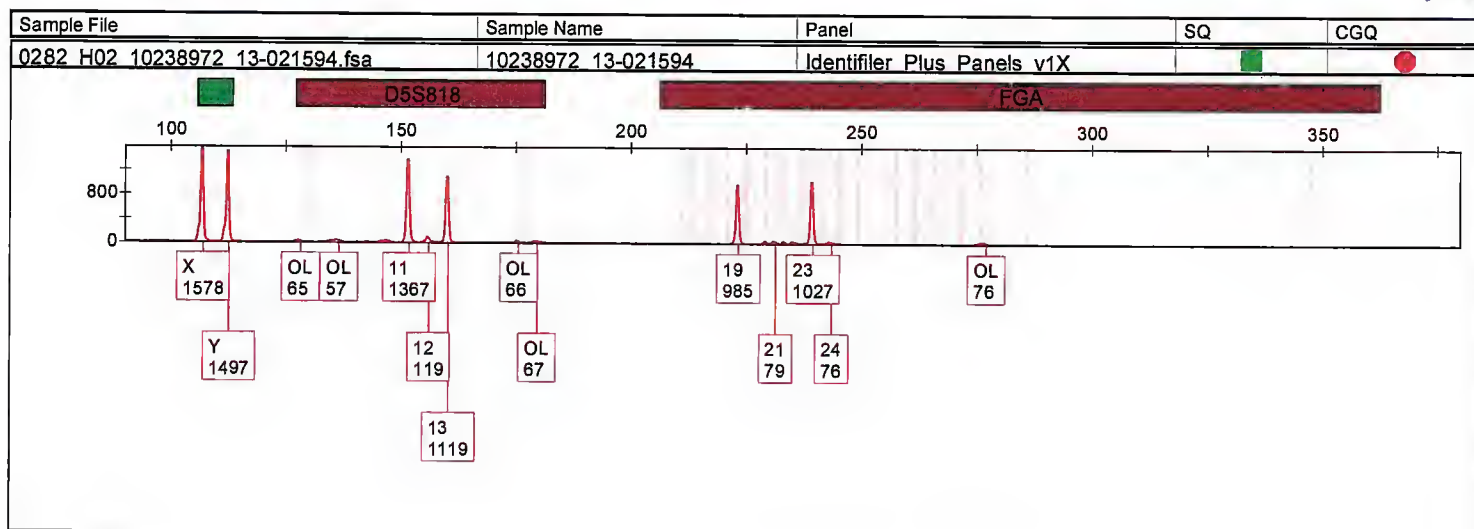
Loci useful for Statistical Calculations (Major Contributors)☒ All loci ☐ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGALoci useful for Statistical Calculations (Minor Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGAAdditional CommentsReference Sample ID of comparison sampleGiacomo CargnoniReference sample is: ☒ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☒ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor ContributorReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor Contributor

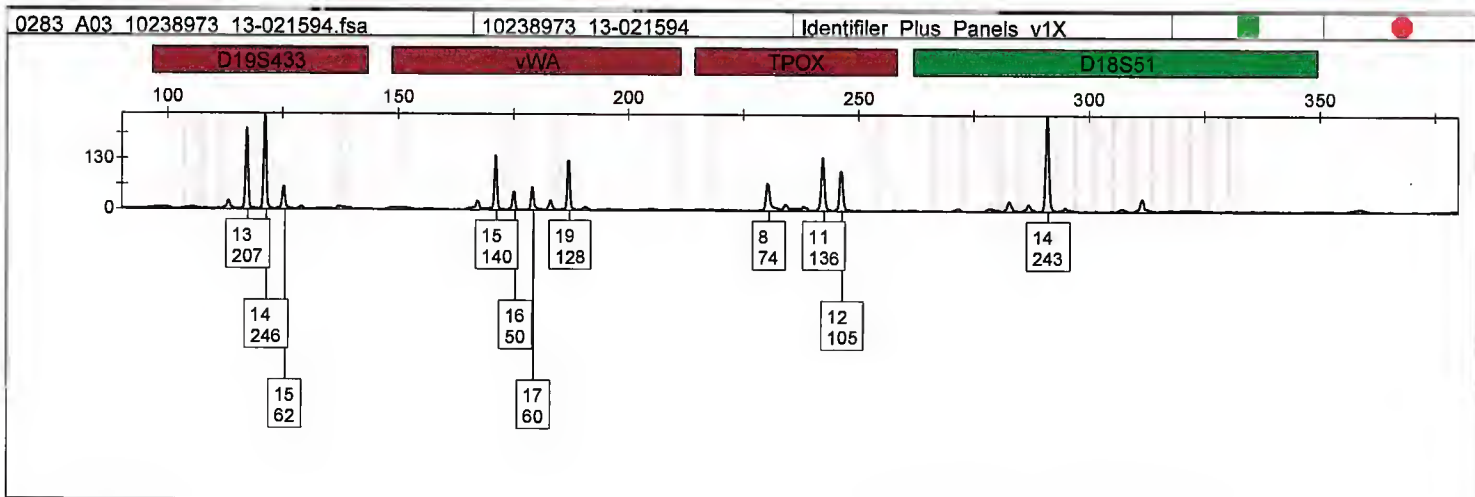
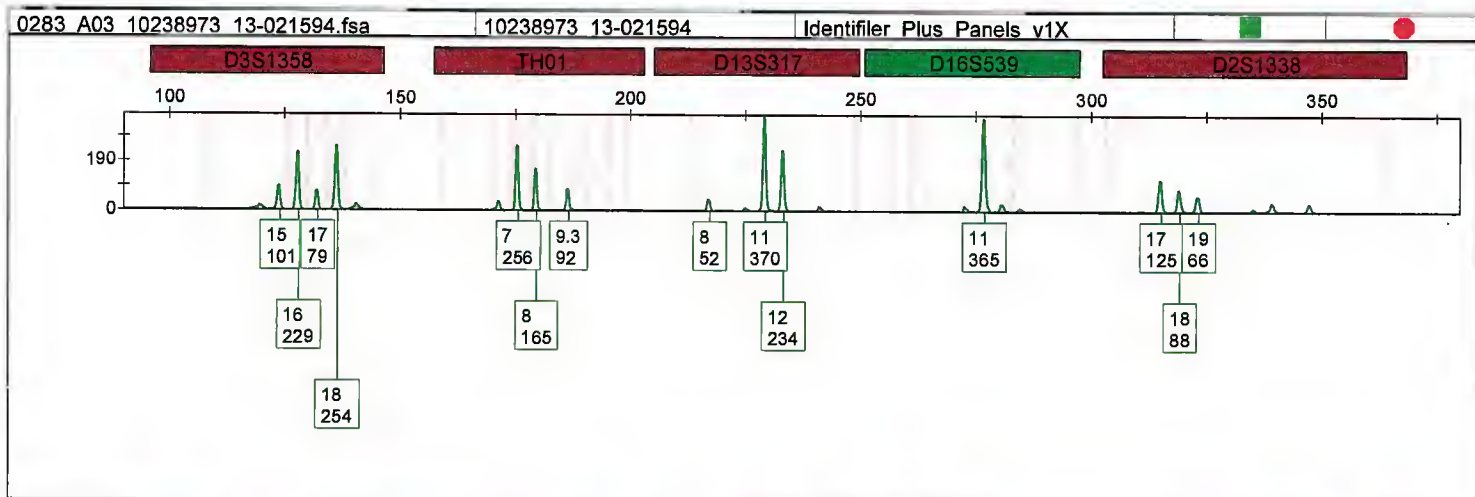
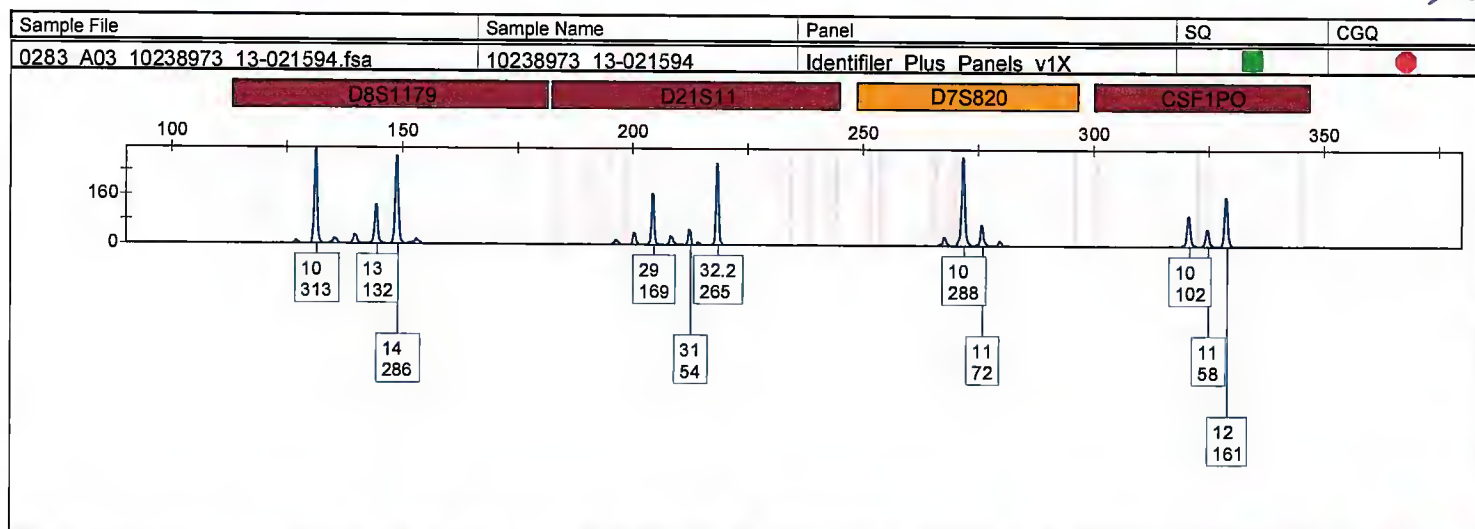


Due to issues related to pull-up, this sample was re-^{set up} ~~rejected~~ after a new spectral was run. See data beginning on pg. 31 ^{9/5/13}

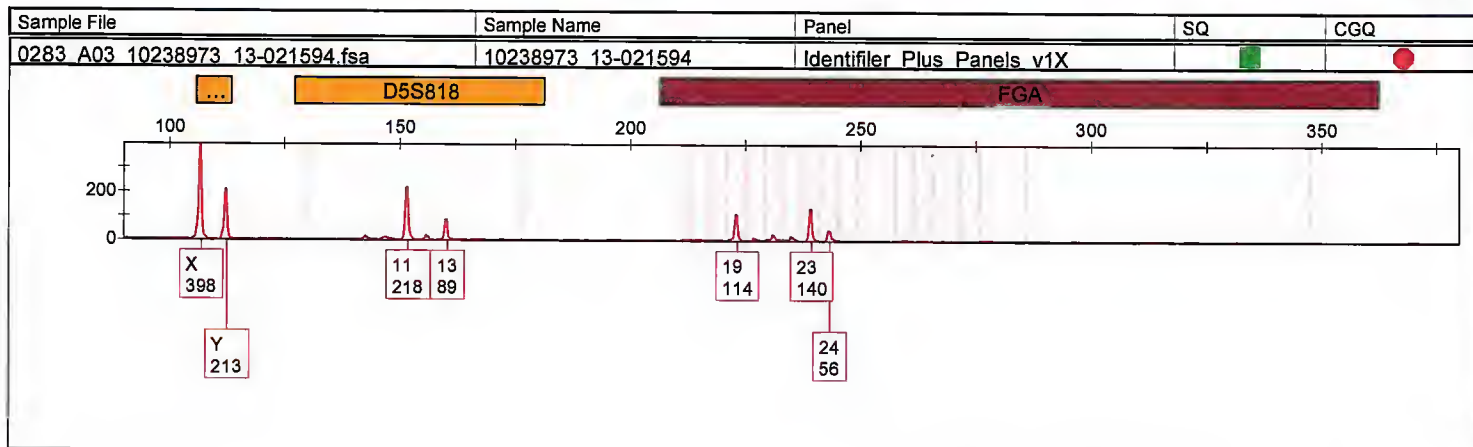
Only the 2nd injection will be interpreted.

Project: DC_12-020981etc_project_8-24-13

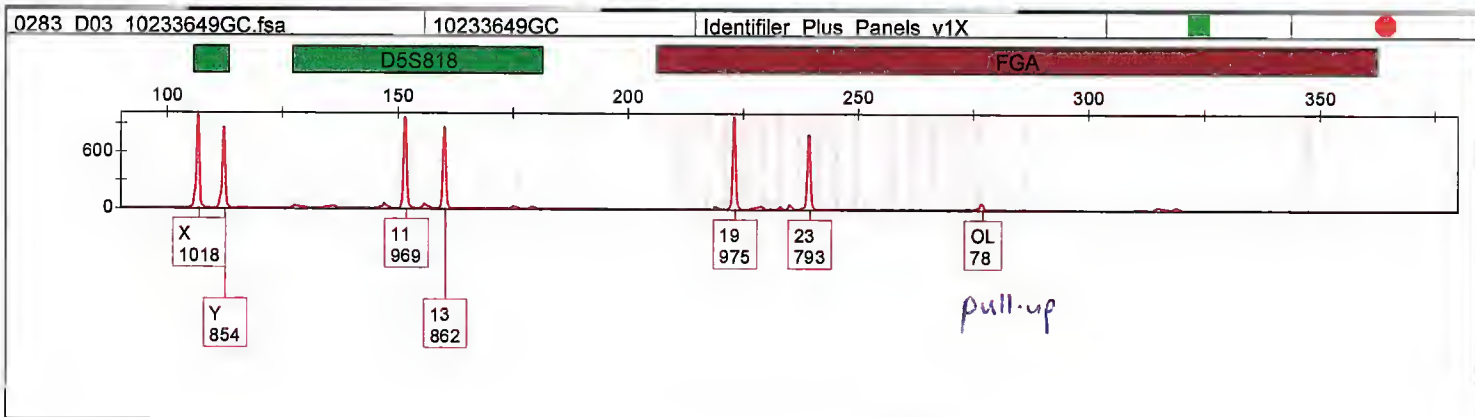
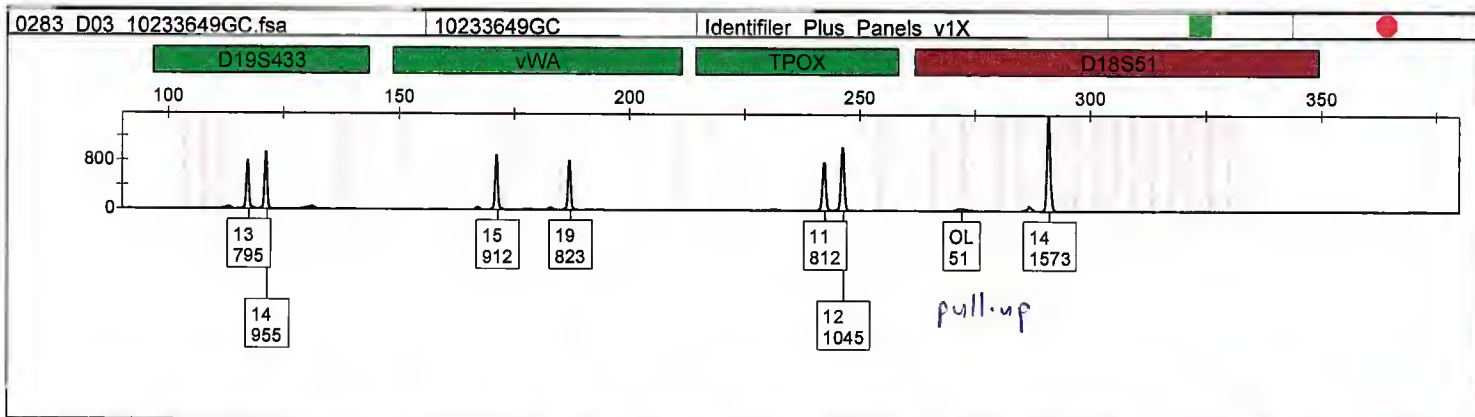
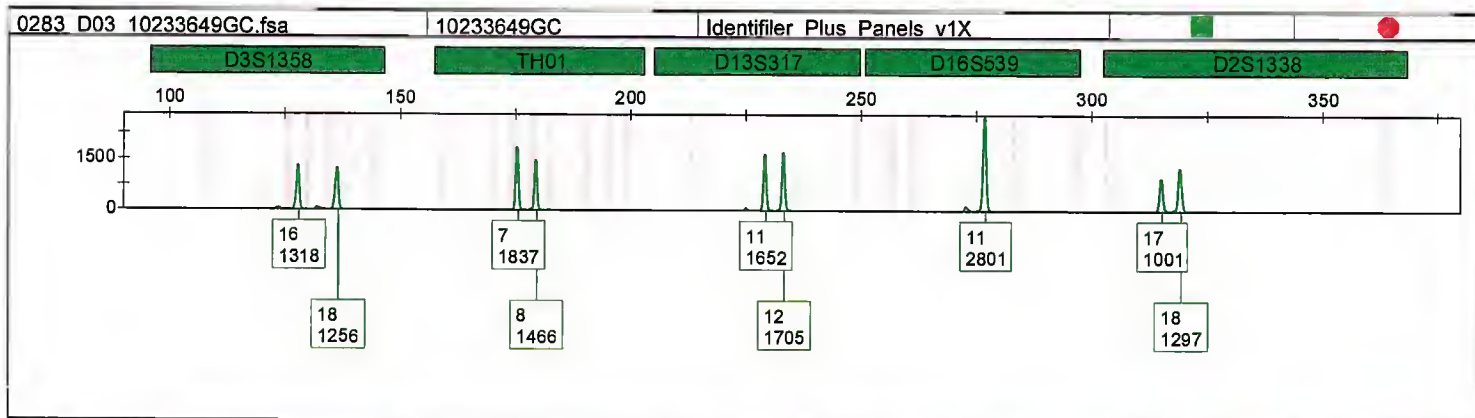
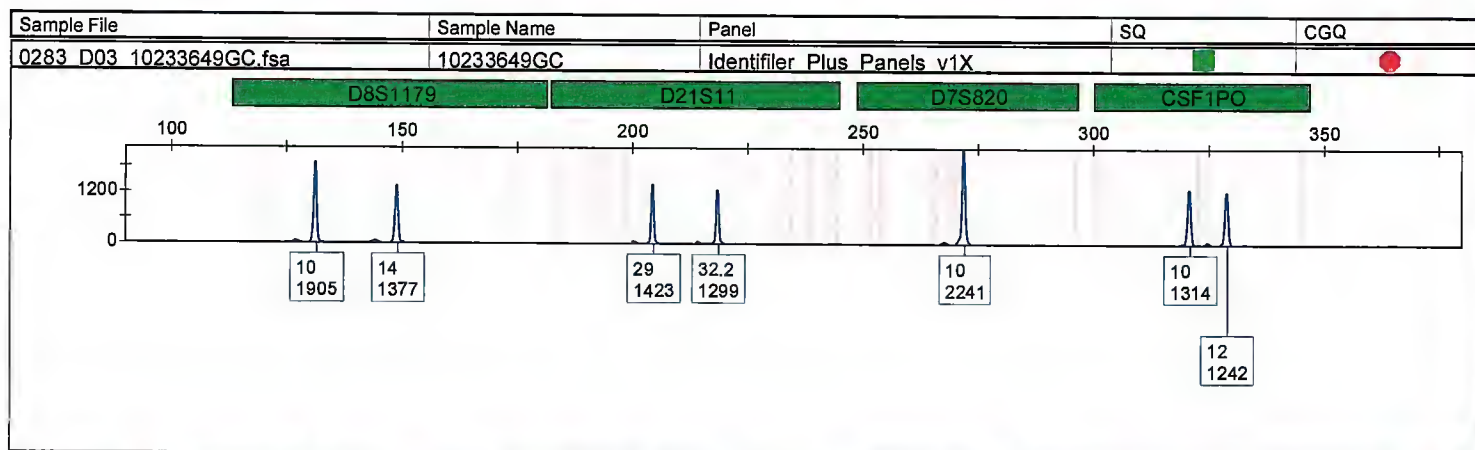


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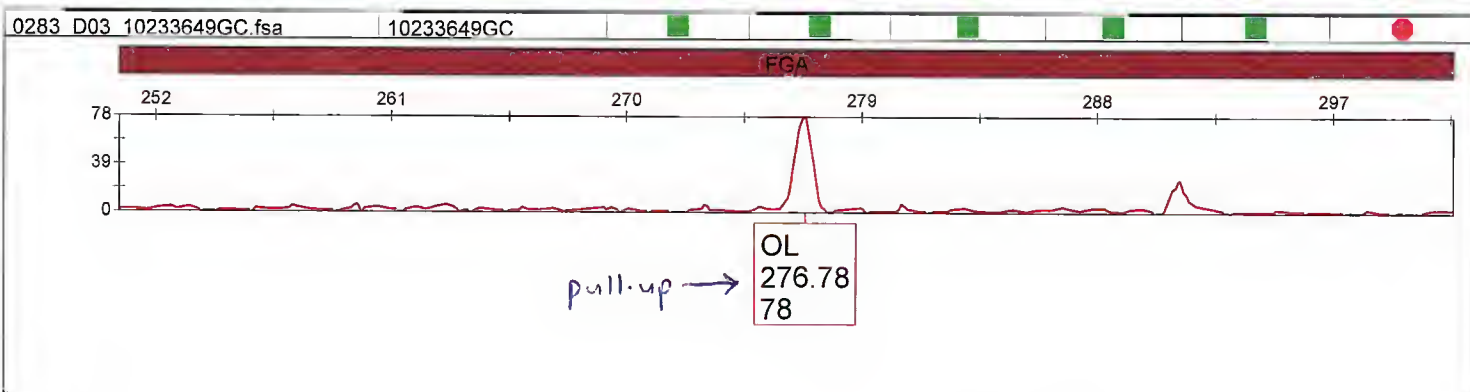
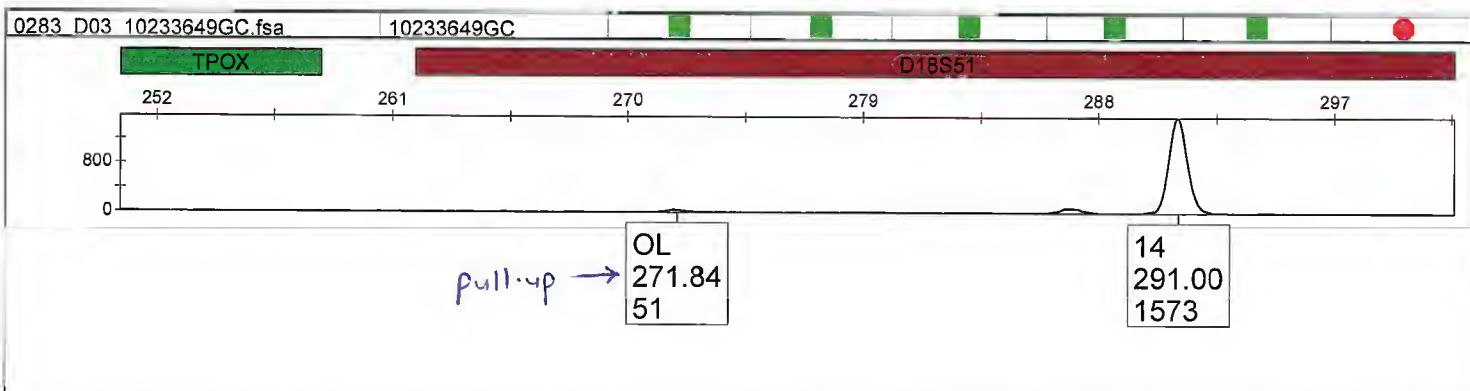
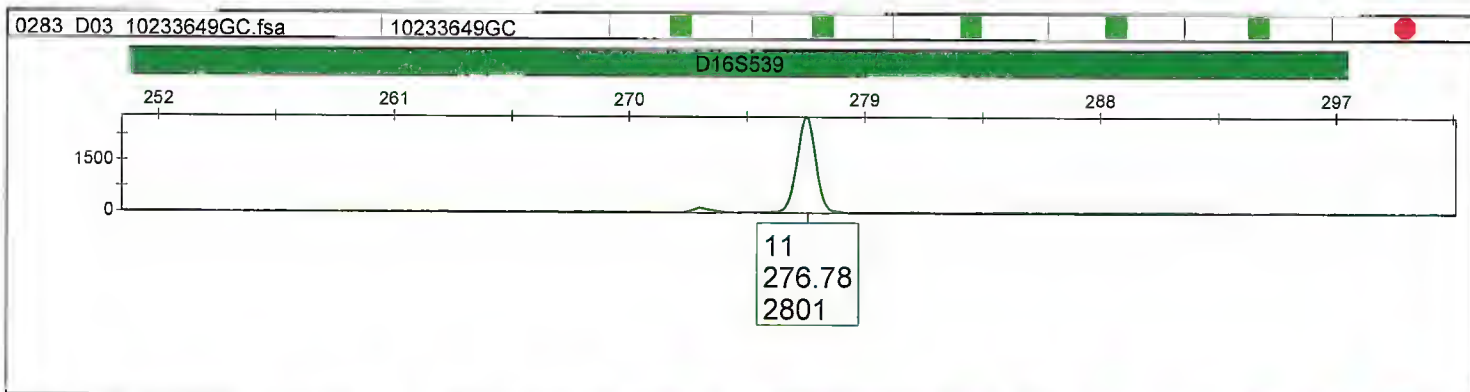
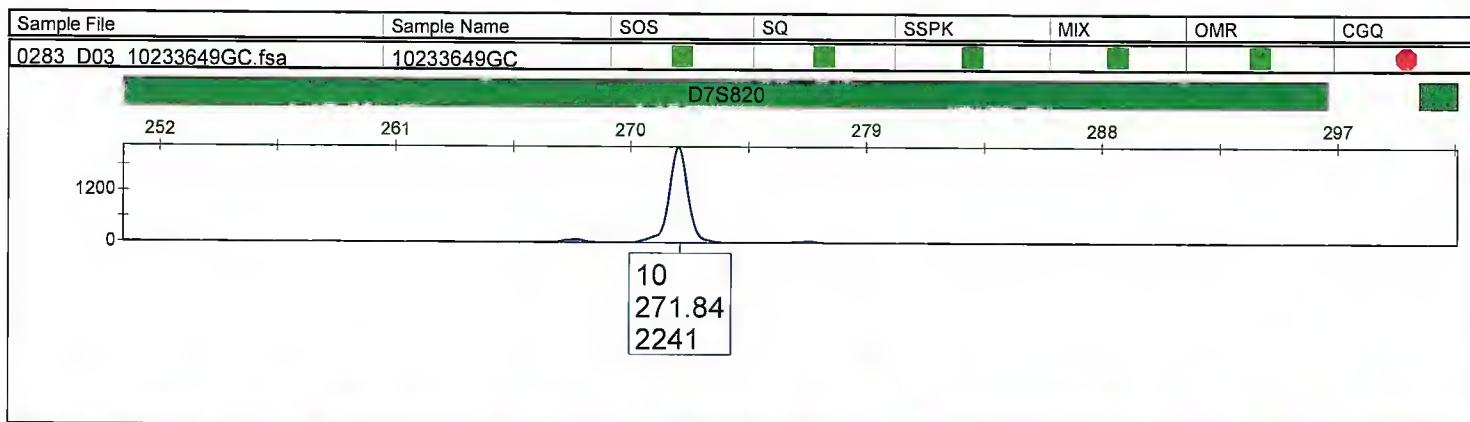


SDPD PROFILE INTERPRETATION/COMPARISON WORKSHEETCase # 13-021594 Date 8/29/2013 Initials Sample ID 10238973Category of Profile☐ Predominant Profile ☐ Mixture w/ assumption(s) ☒ Mixture w/ no assumptionsMinimum Number of Contributors (if sample is a mixture or has a predominant contributor)☒ Two ☐ Three ☐ Four ☐ Five ☐ SixCondition of Profile (Check all that apply)☐ Inhibited ☐ Degraded (or degraded elements) ☒ Contributors with types in the stochastic range
☒ Imbalanced Mixture ☐ Balanced Mixture Locus (loci) triggering balance _____
☐ Loci with <1600rfu present in balanced mixtureDocument Relevant AssumptionsLoci useful for Statistical Calculations (Major Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGALoci useful for Statistical Calculations (Minor Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGAAdditional CommentsReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☒ 9/5/13 ☒ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor ContributorReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor Contributor

Project: DC_12-020981etc_project_8-24-13



Project: DC_12-020981etc_project_8-24-13



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
3130 Sample Setup Sheet**

Case #:

Date: 8/27/2013

Analyst:

	1	2	3	4	5	6	7	8	9	10	11	12
A	Formamide_Blank	10238972_13-021594										
B	Formamide_SS											
C	LADDER											
D	9947A_Control											
E	TE_Amp_Blank											
F	10168834_12-020981											
G	10168844_12-020981											
H	10168861_12-020981											

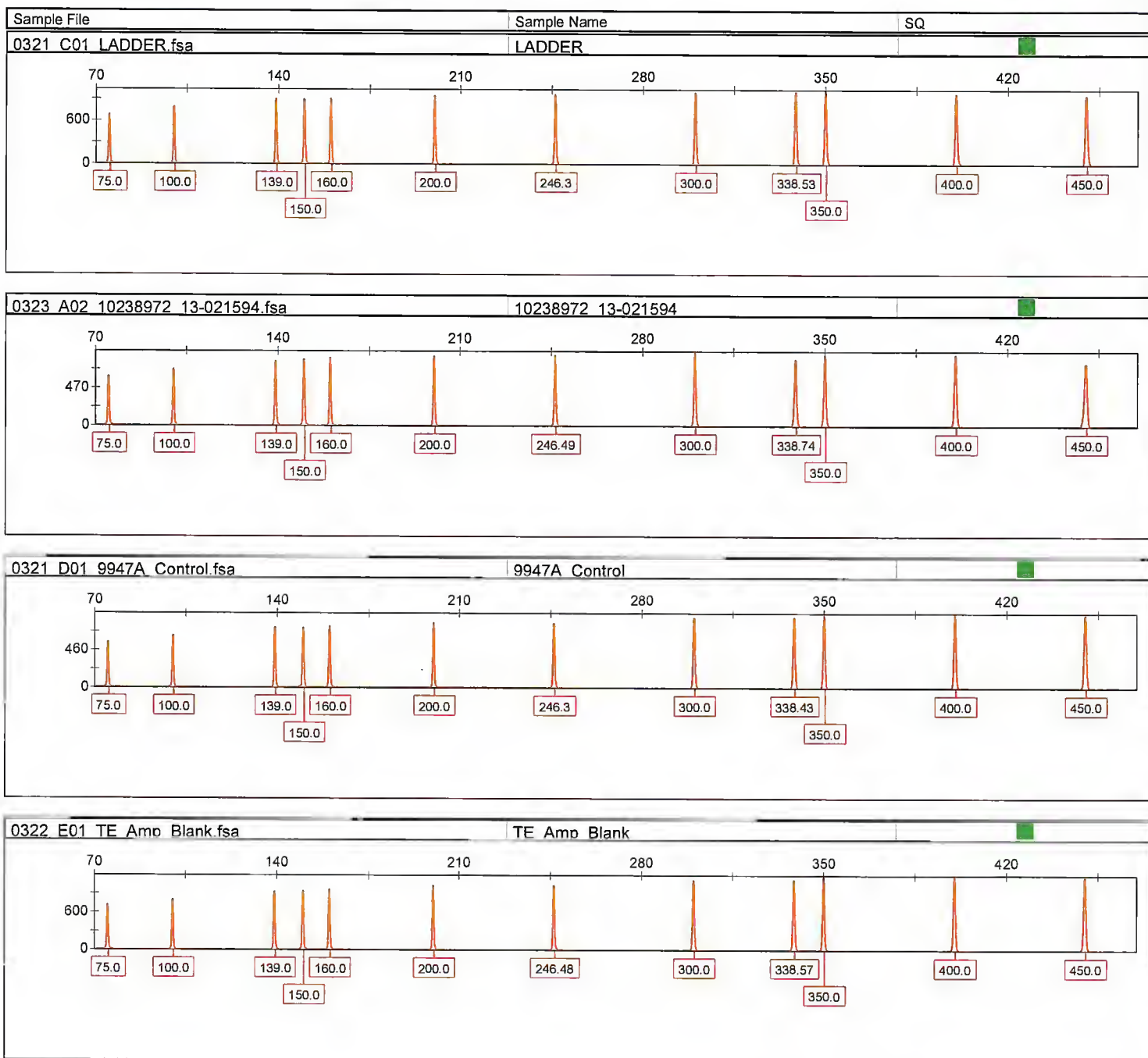
Instrument: 3130C

Sample setup: Corbett CAS-1200

Reagent	Lot #	vol (µl)	# of samples + 1	Total (µl)
Form.	12027204	17.4	10	174
Int.Std.	1305144	0.6	10	6
Ladder	IDP2-13	2		



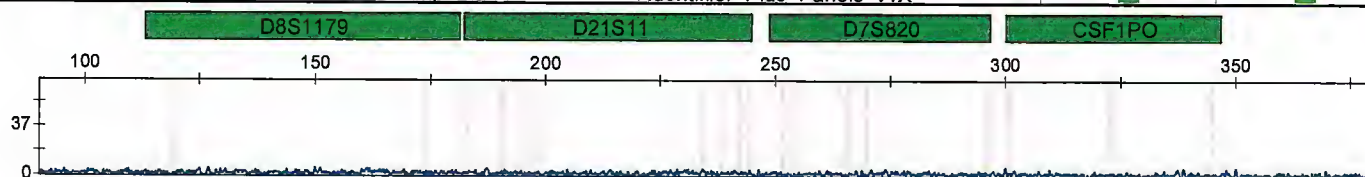
	Sample Name	Sample Type	Analysis Method	Panel	Size Standard	SQ	CGQ
1	formamide_blank	Negative Control	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		NA
2	formamide_ILS	Negative Control	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
3	LADDER	Allelic Ladder	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
4	9947A_Control	Positive Control	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
5	TE_Amp_Blank	Negative Control	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
6	10168834_12-020981	Sample	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
7	10168844_12-020981	Sample	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
8	10168861_12-020981	Sample	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		
9	10238972_13-021594	Sample	ID-X Identifiler Plus	Identifiler_Plus_Panels_v1X	CE_G5_Identifiler_Plus_GS500		



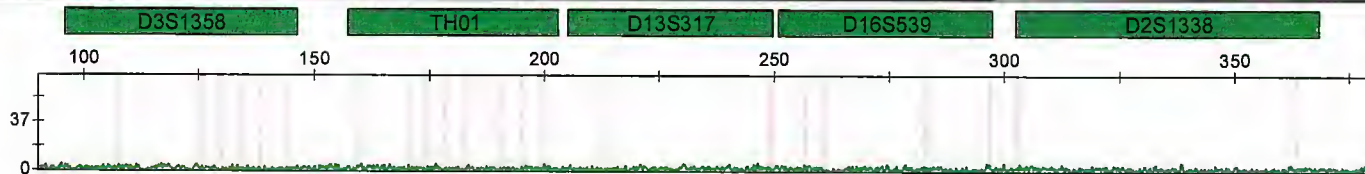
Project: DC_12-020981etc_re-injections_8-27-13



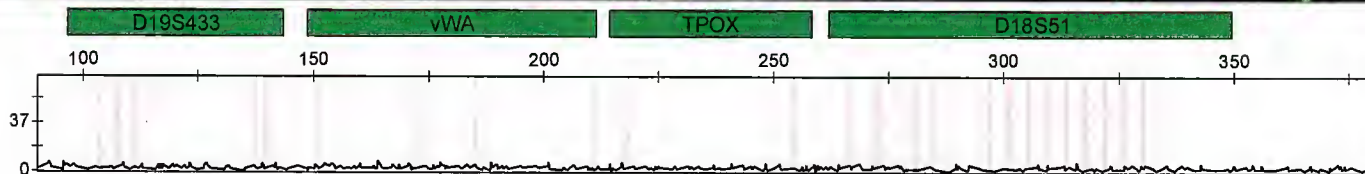
Sample File	Sample Name	Panel	SQ	CGQ
0322 E01 TE Amp Blank.fsa	TE Amp Blank	Identifiler Plus Panels v1X		



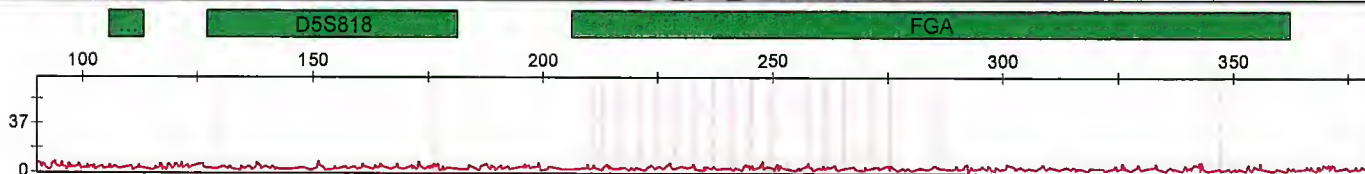
Sample File	Sample Name	Panel	SQ	CGQ
0322 E01 TE Amp Blank.fsa	TE Amp Blank	Identifiler Plus Panels v1X		

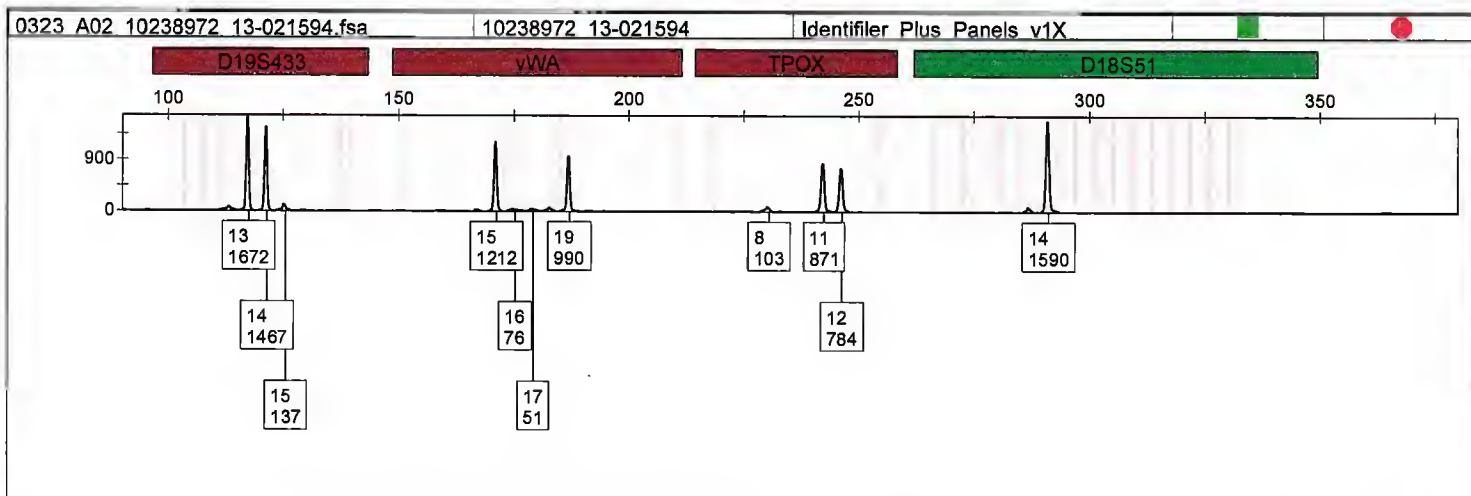
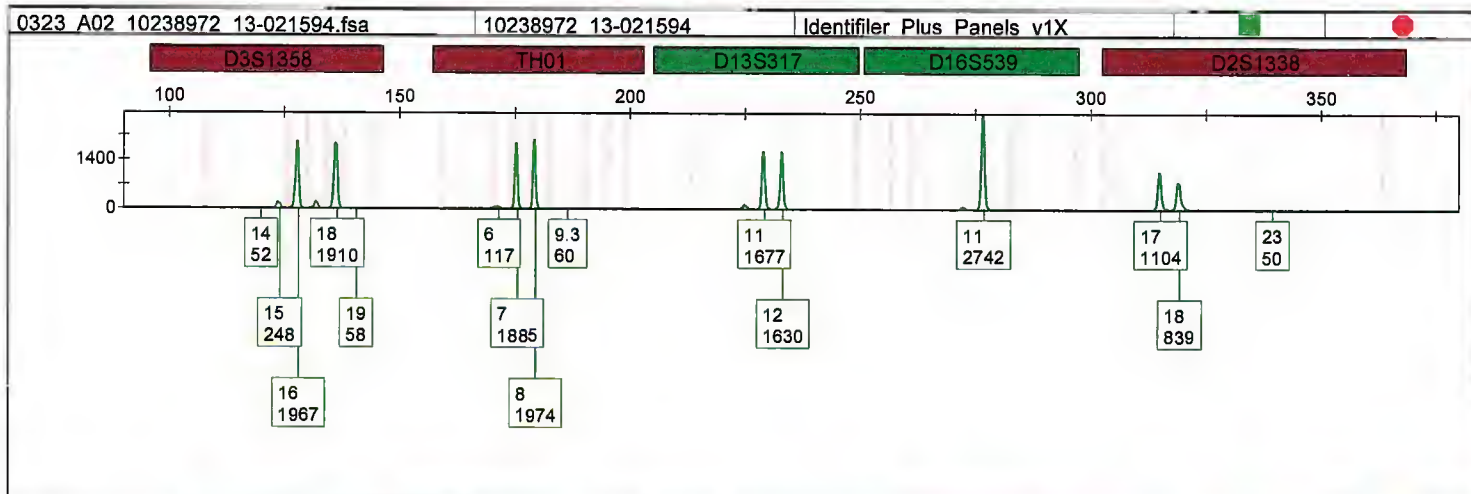
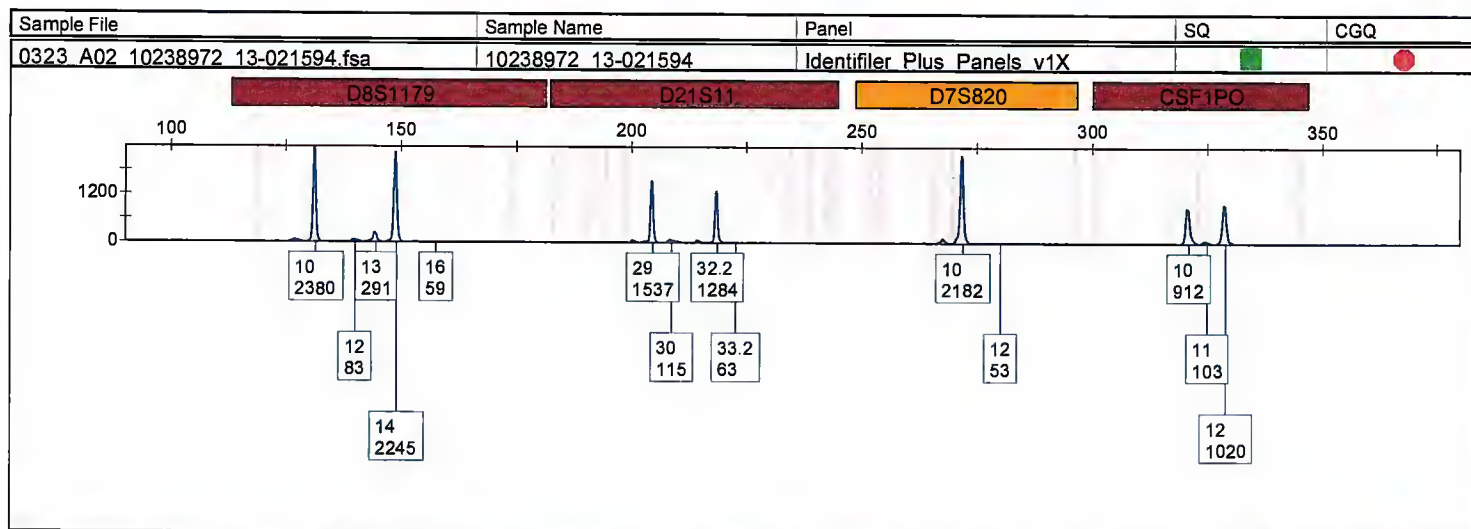


Sample File	Sample Name	Panel	SQ	CGQ
0322 E01 TE Amp Blank.fsa	TE Amp Blank	Identifiler Plus Panels v1X		

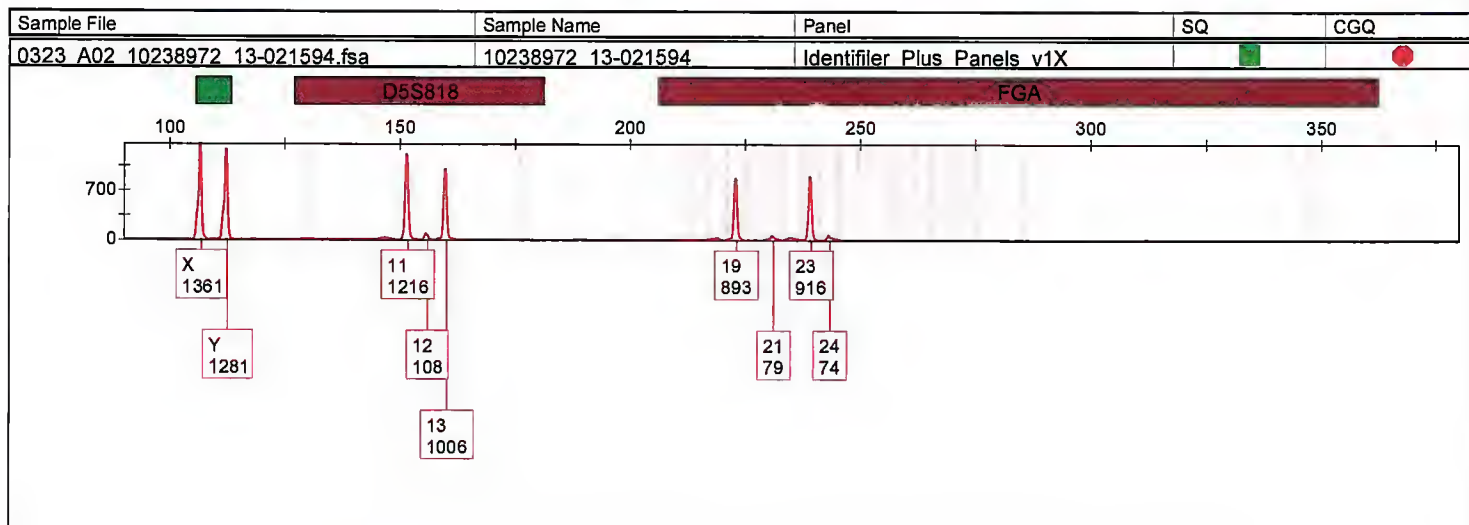


Sample File	Sample Name	Panel	SQ	CGQ
0322 E01 TE Amp Blank.fsa	TE Amp Blank	Identifiler Plus Panels v1X		





Project: DC_12-020981etc_re-injections_8-27-13



SDPD PROFILE INTERPRETATION/COMPARISON WORKSHEETCase # 13-021594 Date 8/29/2013 Initials Sample ID 10238972Category of Profile☒ Predominant Profile ☒ Mixture w/ assumption(s) *9/5/13* ☐ Mixture w/ no assumptionsMinimum Number of Contributors (if sample is a mixture or has a predominant contributor)☐ Two ☒ Three ☐ Four ☐ Five ☐ SixCondition of Profile (Check all that apply)☐ Inhibited ☐ Degraded (or degraded elements) ☒ Contributors with types in the stochastic range
☒ Imbalanced Mixture ☐ Balanced Mixture Locus (loci) triggering balance _____
☐ Loci with <1600rfu present in balanced mixtureDocument Relevant Assumptions*Assuming* Assuming a predominant contributor
*9/5/13*Loci useful for Statistical Calculations (Major Contributors)☒ All loci ☐ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGALoci useful for Statistical Calculations (Minor Contributors)☐ All loci ☒ Not suitable for comparisons☐ D8S1179 ☐ D21S11 ☐ D7S820 ☐ CSF1PO ☐ D3S1358 ☐ TH01 ☐ D13S317 ☐ D16S539
☐ D2S1338 ☐ D19S433 ☐ vWA ☐ TPOX ☐ D18S51 ☐ D5S818 ☐ FGAAdditional CommentsReference Sample ID of comparison sampleGiacomo CargnoniReference sample is: ☒ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☒ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor ContributorReference Sample ID of comparison sampleReference sample is: ☐ Included ☐ Inconclusive ☐ ExcludedIf reference is included. Level of inclusion:☐ Matches (single source) ☐ Predominant Contributor ☐ Major Contributor
☐ DNA Contributor ☐ Minor Contributor



Statistics Report

Database: f:\Popstats\POPDATA\FBI\STR_Identifier 042012

NRC 96 Formula uses theta for each STR locus.

Case Type: Forensic Single Sample

Specimen ID: 10238972

DNA Analyst: Cornacchia

Comment: Case #13-021594

Date: September 03, 2013

Page: 1

Locus	Allele +/-		Allele Frequency		
	Allele	Theta	CAU	BLK	SWH
D8S1179	10	0.01	1.0200E-01	2.5000E-02	9.3600E-02
D8S1179	14	0.01	2.0150E-01	3.3330E-01	2.4630E-01
D21S11	29	0.01	1.8110E-01	1.8990E-01	2.0440E-01
D21S11	32.2	0.01	1.1220E-01	6.9800E-02	1.3550E-01
D7S820	10	0.01	2.9060E-01	3.2380E-01	3.0620E-01
CSF1PO	10	0.01	2.5370E-01	2.7140E-01	2.5360E-01
CSF1PO	12	0.01	3.2510E-01	3.0000E-01	3.9230E-01
D3S1358	16	0.01	2.3150E-01	3.0710E-01	2.6560E-01
D3S1358	18	0.01	1.6260E-01	5.4800E-02	8.3700E-02
TH01	7	0.01	1.7240E-01	4.4050E-01	3.3730E-01
TH01	8	0.01	1.2560E-01	1.8570E-01	8.1300E-02
D13S317	11	0.01	3.1890E-01	2.3740E-01	2.0200E-01
D13S317	12	0.01	3.0870E-01	4.8320E-01	2.1680E-01
D16S539	11	0.01	2.7230E-01	2.9430E-01	3.1490E-01
D2S1338	17	0.01	1.9408E-01	1.0180E-01	2.2183E-01
D2S1338	18	0.01	5.2630E-02	6.5870E-02	4.2250E-02
D19S433	13	0.01	2.8289E-01	2.9641E-01	1.6197E-01
D19S433	14	0.01	3.3553E-01	1.9760E-01	3.2042E-01
vWA	15	0.01	1.1220E-01	2.3610E-01	7.6400E-02
vWA	19	0.01	8.4200E-02	7.2200E-02	7.1400E-02
TPOX	11	0.01	2.5370E-01	2.2490E-01	2.7270E-01
TPOX	12	0.01	3.9400E-02	2.3900E-02	9.3300E-02
D18S51	14	0.01	1.7350E-01	6.3900E-02	1.7000E-01
Amelogenin	X	0.01	0	0	0
Amelogenin	Y	0.01	0	0	0
D5S818	11	0.01	4.1030E-01	2.6110E-01	4.2120E-01
D5S818	13	0.01	1.4620E-01	2.4440E-01	9.6100E-02
FGA	19	0.01	5.6100E-02	5.2800E-02	7.8800E-02
FGA	23	0.01	1.5820E-01	1.2500E-01	1.4040E-01

NRC 96 Formula used

CAU frequency = 1 in 8,726,000,000,000,000,000

BLK frequency = 1 in 255,200,000,000,000,000,000

SWH frequency = 1 in 16,170,000,000,000,000,000

SAN DIEGO POLICE DEPARTMENT
Forensic Biology Unit

CODIS Sample Information Worksheet

Case # 13-021594Sample Identifier 972Sample Category☒ Forensic, Unknown ☐ Suspect, Known - Name _____
☐ Other _____DNA Profile:D8S1179 10, 14D19S433 13, 14D21S11 29, 32.2VWA 15, 19D7S820 10TPOX 11, 12CSF1PO 10, 12D18S51 14D3S1358 16, 18Amelogenin XYTH01 7, 8D5S818 11, 13D13S317 11, 12FGA 19, 23D16S539 11D2S1338 17, 18Comments: predominant profile (matches Giacomo Cargnoni)Offense☒ Assault (or 664/187) ☐ Homicide ☐ Other _____
☐ Burglary (or other prop. crime) ☐ Robbery
☐ Child Abuse ☐ Sexual Assault

For suspects only:

Investigative unit _____

Analyst: [Signature]

Detective _____

Date of Analysis: 8/24/13Reviewer: aj 9/5/13
(Initials & Date)

2/2/20



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
CRIME SCENE RECONSTRUCTION REPORT**



VICTIM:	SDPD Officer Richard BUTERA, ID #5876
SUSPECT:	CARGNONI, Giacomo (Deceased)
CHARGE:	O.I.S. Special Investigation / 245(a)(2) PC
CASE #:	13-021594
INCIDENT #:	13060000530
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

See the Firearms Lab Report by Criminalist LaChimia dated June 4, 2013.

BACKGROUND

On June 1, 2013, at approximately 0940 hours, I was contacted by Sergeant Manny Del Toro and informed of an officer-involved shooting in the area of Sea World Drive and West Mission Bay Drive. I arrived at the scene, 100 Sea World Drive, at approximately 1050 hours.

The following is a synopsis of the briefing information provided by SDPD Sergeant Tagaban:

A call came into SDPD that the suspect in this case had threatened [REDACTED] with a gun at an address on [REDACTED]. The suspect left this area in a silver-gray Volkswagen, California license [REDACTED] and was pulled over by SDPD at 100 Sea World Drive. The suspect exited the vehicle and began rummaging through the passenger's side of the vehicle, the trunk and again the passenger's side of the vehicle. Officers were shouting commands to the suspect during this time. The suspect then brought up and pointed his hands with what appeared to be a weapon. Officer Butera then fired at the suspect from the other side of the median on Sea World Drive. The suspect went down, rolled and got up again. He again simulated holding a weapon as officers continued shouting commands. Officer Butera fired again, and the suspect went down. His head was to the south and feet to the north. He was transported to the hospital and died. A witness had video recorded this incident on [REDACTED] cell phone.

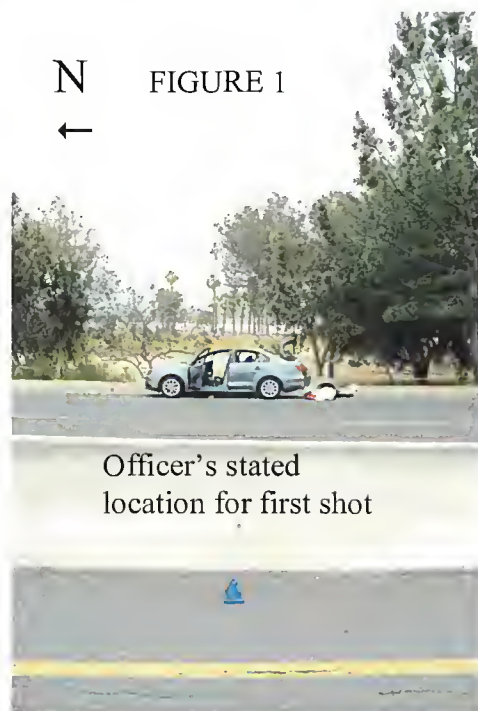
The following information was provided by Officer Butera during his walk-through:

Officer Butera approached the scene in his patrol vehicle from the north. He was positioned and fired to the east at the suspect with his shotgun from the west side of the median wall on Sea World Drive. The suspect was standing just outside of the passenger's side rear door of the vehicle when Butera first fired. He fired through the windows of the rear doors. The officer then moved to the south and again fired at the suspect who was then located slightly to the east and south. The stated locations of the officer and suspect when the shots were fired were noted for each shot. See Figures 1 and 2.

CRIME SCENE REPORT

Case # 13-021594

Page 2 of 4



SCENE DESCRIPTION See Figure 3

This incident took place on a divided four lane road which runs north-south. The suspect's vehicle was parked next to the curb on the east side of the northbound lanes. Officer Butera's patrol vehicle was parked in the southbound lanes, north of the suspect's vehicle.

OBSERVATIONS

Two shotshell cases (00 Buck) were located just east of the center wall at 100 Sea World Drive. The suspect's vehicle, a gray Volkswagen Jetta 2.5, California license [REDACTED] was parked across the road from the shotshell cases, on the east side of the northbound lanes. A scope cover was located in the southbound lanes just south of Officer Butera's patrol vehicle.

The driver's door, both passenger's side doors, and the trunk of the suspect's vehicle were open. Clothing and other debris were located on the ground at the rear of the vehicle. The driver's side rear door was closed. The glass from the main window of the driver's side rear door was broken out of the frame, but the quarter window of this door was intact. Glass fragments were present both inside and outside the vehicle in this area. A shotshell wad was located on the rear driver's side floorboard. A blue button down shirt hanging on a hanger next to the driver's side rear door window was perforated with multiple apparent missile holes. The window of the passenger's side rear door was mostly down and intact. The quarter window of the passenger side's rear door was shattered, and some of the glass was broken out. An apparent missile strike was located on the edge of the passenger's side rear door interior frame next to the quarter window. Also, an apparent deformed lead pellet was located on the bottom edge of the frame of this quarter window.

CRIME SCENE REPORT

Case # 13-021594

Page 3 of 4

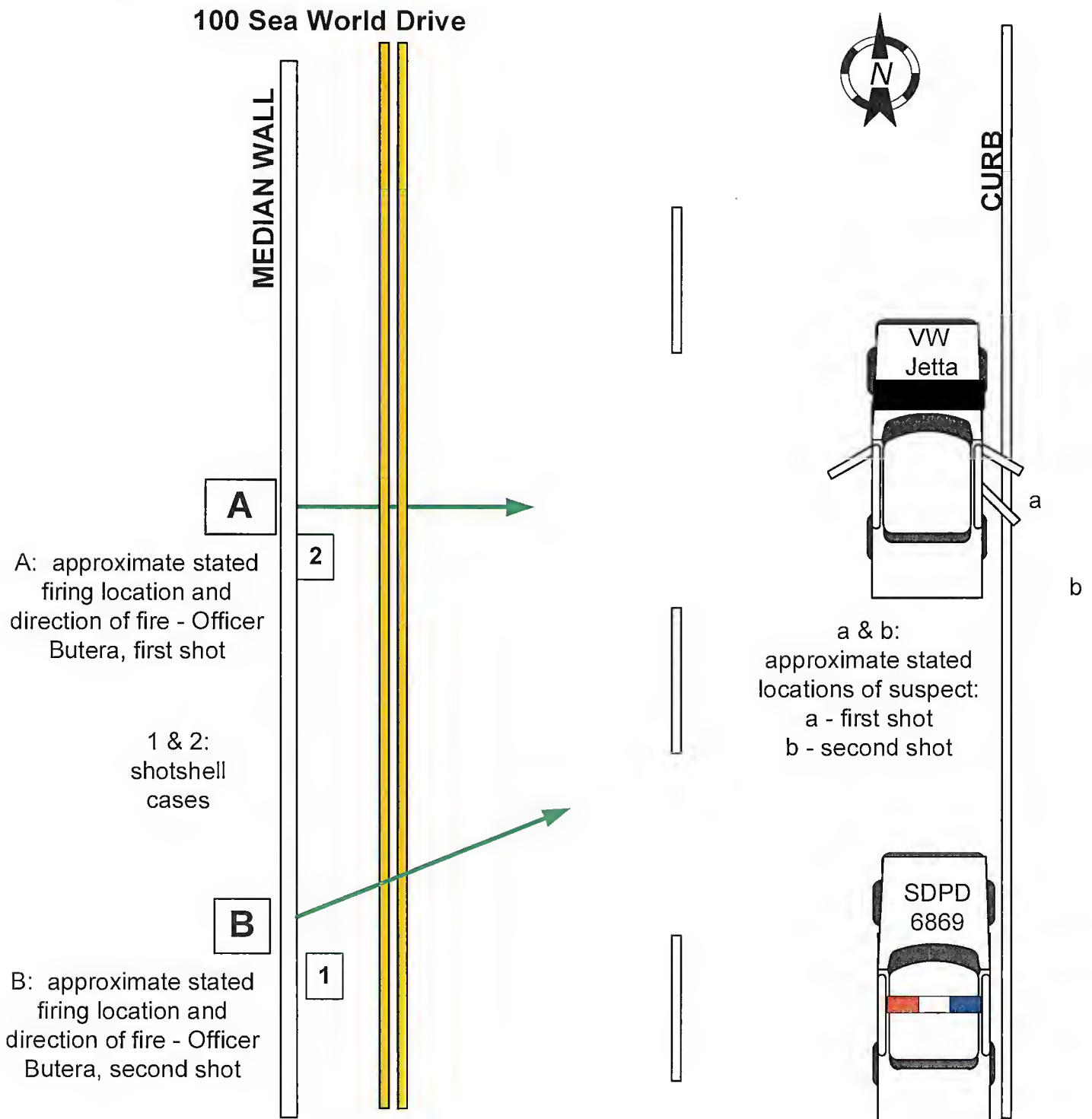


FIGURE 3 (not to scale)

CRIME SCENE REPORT

Case # 13-021594

Page 4 of 4

A black semiautomatic handgun was later found in the trunk of the suspect's vehicle.

Apparent bloodstains with downward direction were located on the ground just east of the rear of the suspect's vehicle. A knife was located to the east of these apparent bloodstains. The approximate location of the suspect when the second shot was fired, according to Officer Butera, was in close proximity to the knife. Apparent transfer bloodstains and a larger apparent blood pool were located to the east and slightly south of the knife.

Examination of Officer Butera's shotgun, a Benelli model M4 with a scope, revealed that Butera fired two shots. For further details, see the Firearms Lab Report, dated June 4, 2013.

AUTOPSY INFORMATION

The following information was obtained from Crime Scene Specialist Sanders, Sergeant Del Toro and from review of the autopsy photographs. The autopsy was performed by Doctor Morhaime on June 2, 2013. The suspect sustained seven penetrating gunshot wounds and four perforating gunshot wounds which exited the back. The shotgun pellets from the penetrating wounds were collected from the chest (3), back (3) and right arm (1). The spread of the gunshot wounds to the upper chest was approximately seven inches wide and eight inches in length. Pellets had struck the heart and lungs. See the report by Doctor Morhaime for further details.

CONCLUSIONS

Based on the evidence from the scene, viewing of the cell phone video, the examination of the officer's shotgun and the autopsy information, the following conclusions can be made:

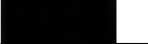
The evidence indicates that Officer Butera fired his shotgun twice from the vicinity of the median wall in a general easterly direction at the suspect. The pellets from one shot perforated the driver's side rear door window and the blue shirt hanging near the window. The pellets then traveled to the passenger's side rear door and struck the quarter window and the door frame around the quarter window. A number of pellets from this shot likely traveled through the open main window of this door and struck the suspect. The other shot from Officer Butera came from the vicinity of the median wall at a location south of where he fired into the vehicle. It appears that pellets from this shot also impacted the suspect.

The evidence from the scene and Officer Butera's shotgun are consistent with his stated firing locations.


Eugene J. LaChimnia, ID# 8757

Criminalist

June 12, 2013

Technical Review:  Date: 6-12-13

Administrative Review:  Date: 6/17/13

Tech Review
6-12-13

AR- 6/12/13

1/11
13021594
EPT
6-13-13

OIS 6-1-B

call Sgt Del Tono ~940 am - told Sea World Drive / W. Mission Bay Dr
arrive ~1050am 100 Sea World Drive

Sgt Tagaban briefing
#5794

W#1306 0000530
Case #B-021570 for 417

EPT 6-4-13
listened to
briefing recording

Neighbor Witness called: as 417 w/ a gun on [redacted] address
EPT 6-4-13

V: [redacted] of 417 on [redacted] - [redacted]
EPT 6-4-13

S: Canyon James Giacomo 10-4-91 dead at hospital UCSD
5'10" 160lb

on back
head - S bound
feet N bound
two shots to torso

plate [redacted] silver-gray Volkswagen

not stop 100 Sea World Drive

S went to pass side & rammed thru front seat & flew
to trunk & back to pass side officers gave commands
EPT 6-4-13

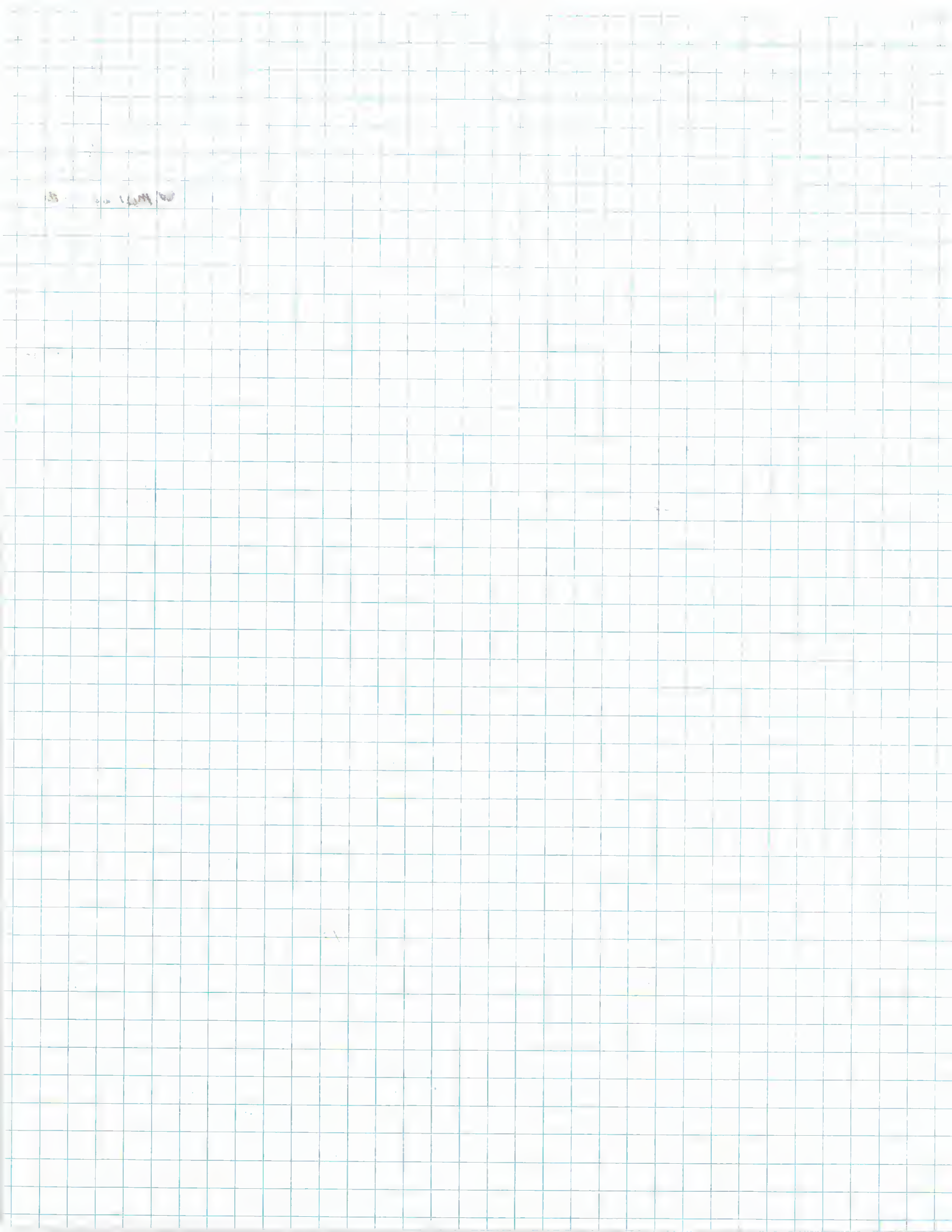
brought hands up w/ what appeared to be a weapon

OFC Butera fired from other side of median & S went down
- approached scene from north
EPT 6-3-13

S got up & again simulated holding gun &
EPT 6-4-13

OFC fired again / S + [redacted] had fight over stolen credit card &
S' pointed black handgun @ [redacted]

another witness recorded shooting on cell phone / viewed video on car
EPT 6-4-13



2
13-021594
EPI
6-12-13

red/blue lights on
SDPO
6869
ca
612636

SDPO
6869
ca
612636

Double yellow line
N↑

Q16-6-13:
SCENE ADDRESS
100 Sea World Drive

yellow tape

Q16-6-13
stated firing
location of
officer - 1st shot

Q16-6-13
APPROXIMATE
LOCATION OF SUSPECT
FOR FIRST SHOT - per OFC

Q16-6-13
APPROXIMATE
LOCATION OF
SUSPECT FOR
SECOND SHOT - per OFC

Q16-6-13
stated firing
location of
officer - 2nd shot

VW
Jetta 2.5 SE
CA
EXEPI6-12-13
OPSA frame

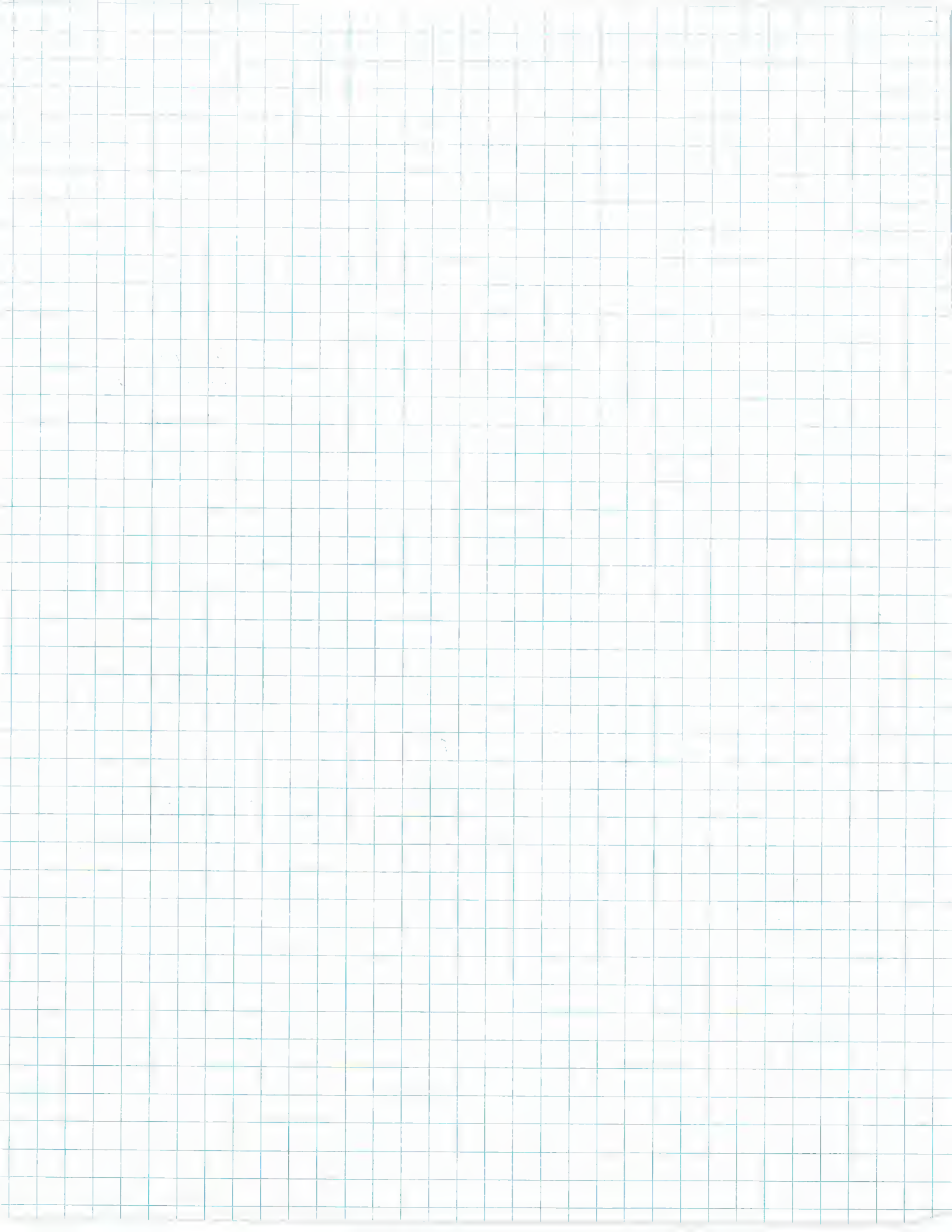
clothing debris

SDPO
6869
ca
1272636

red/blue
lights
on

yellow tape

slope
down



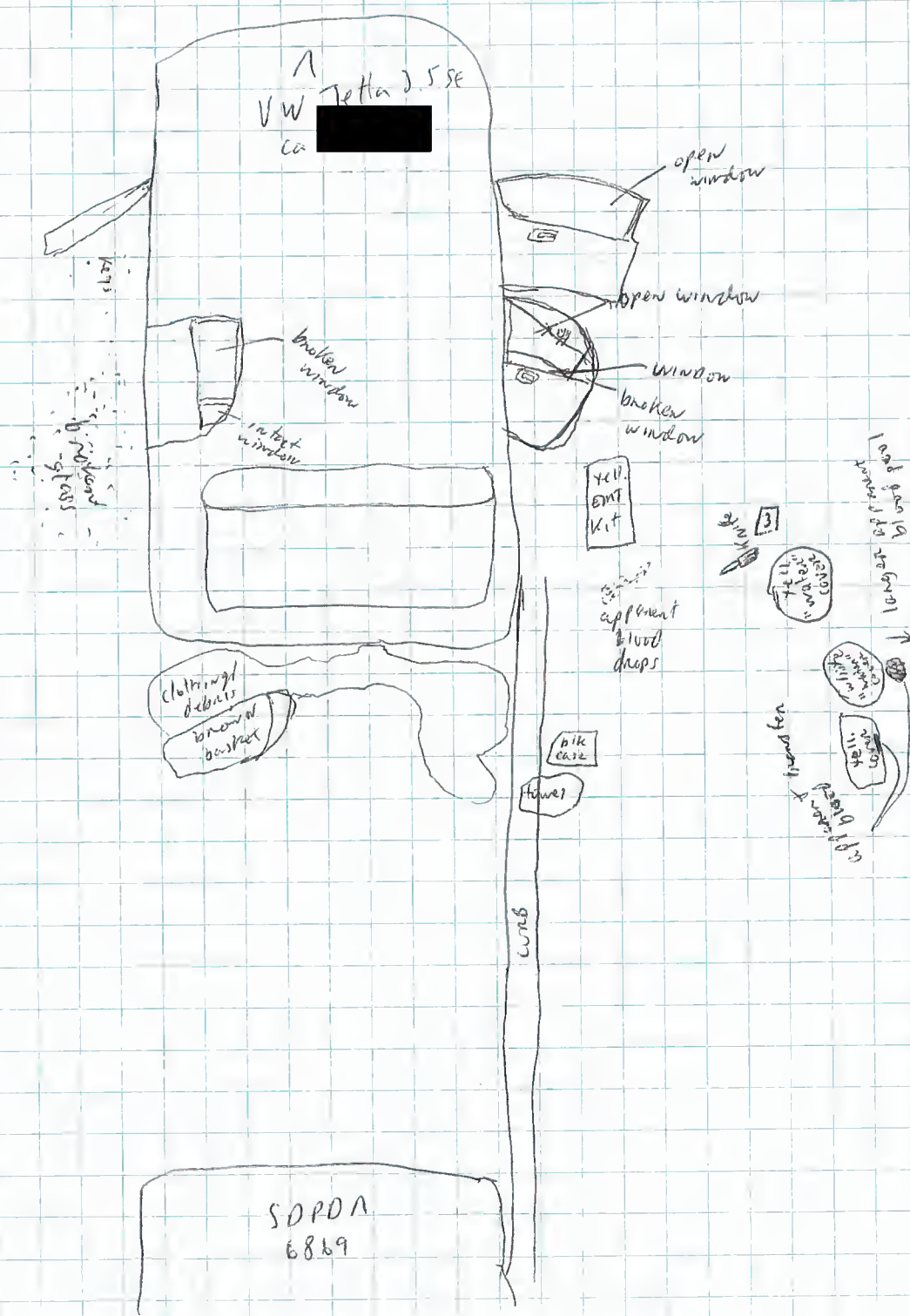
3
13-011524
012
6-1213

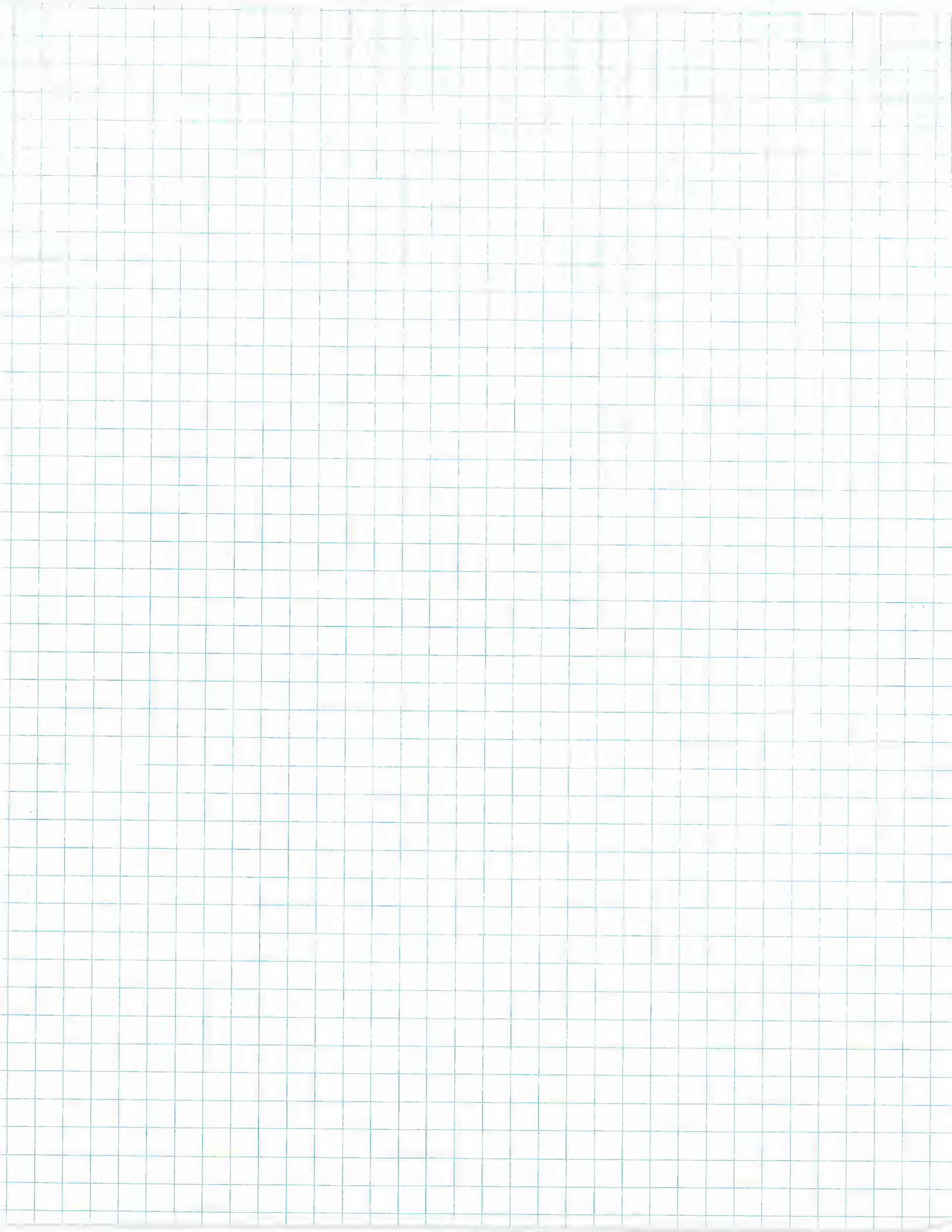
N ↑

7200

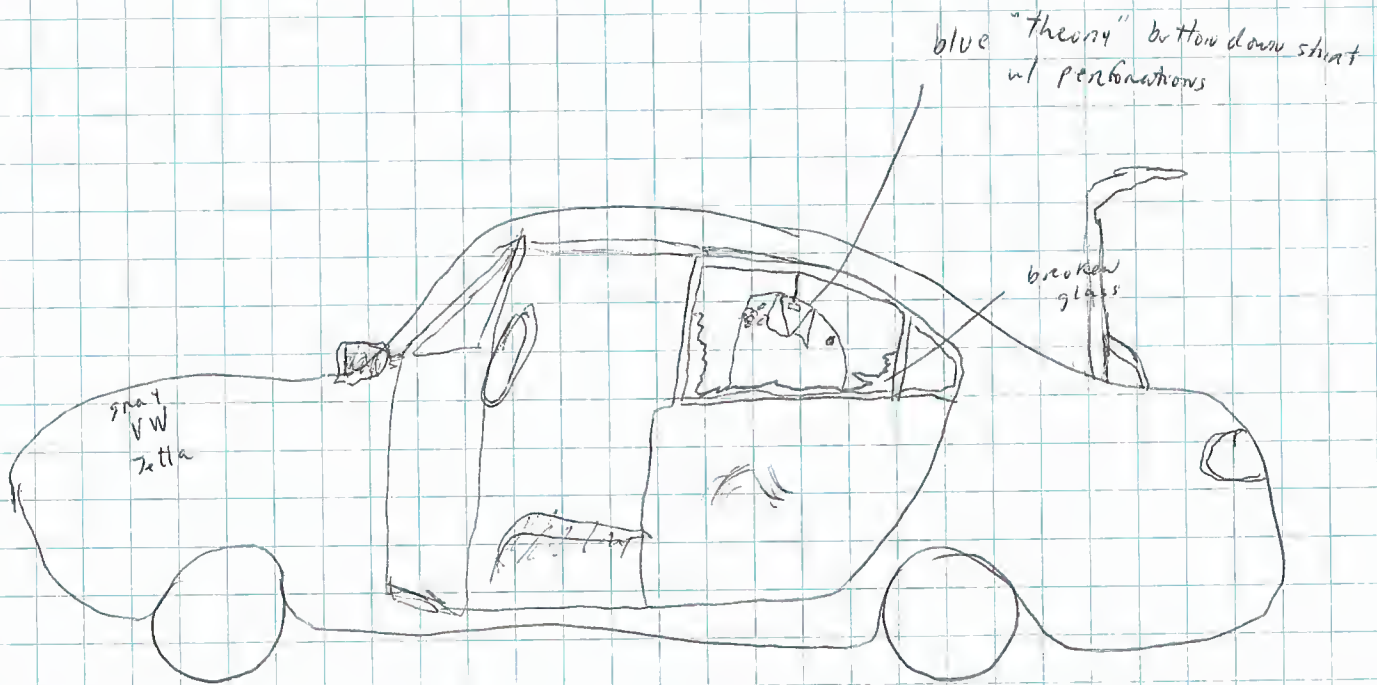
2 shot shell case

shot shell case



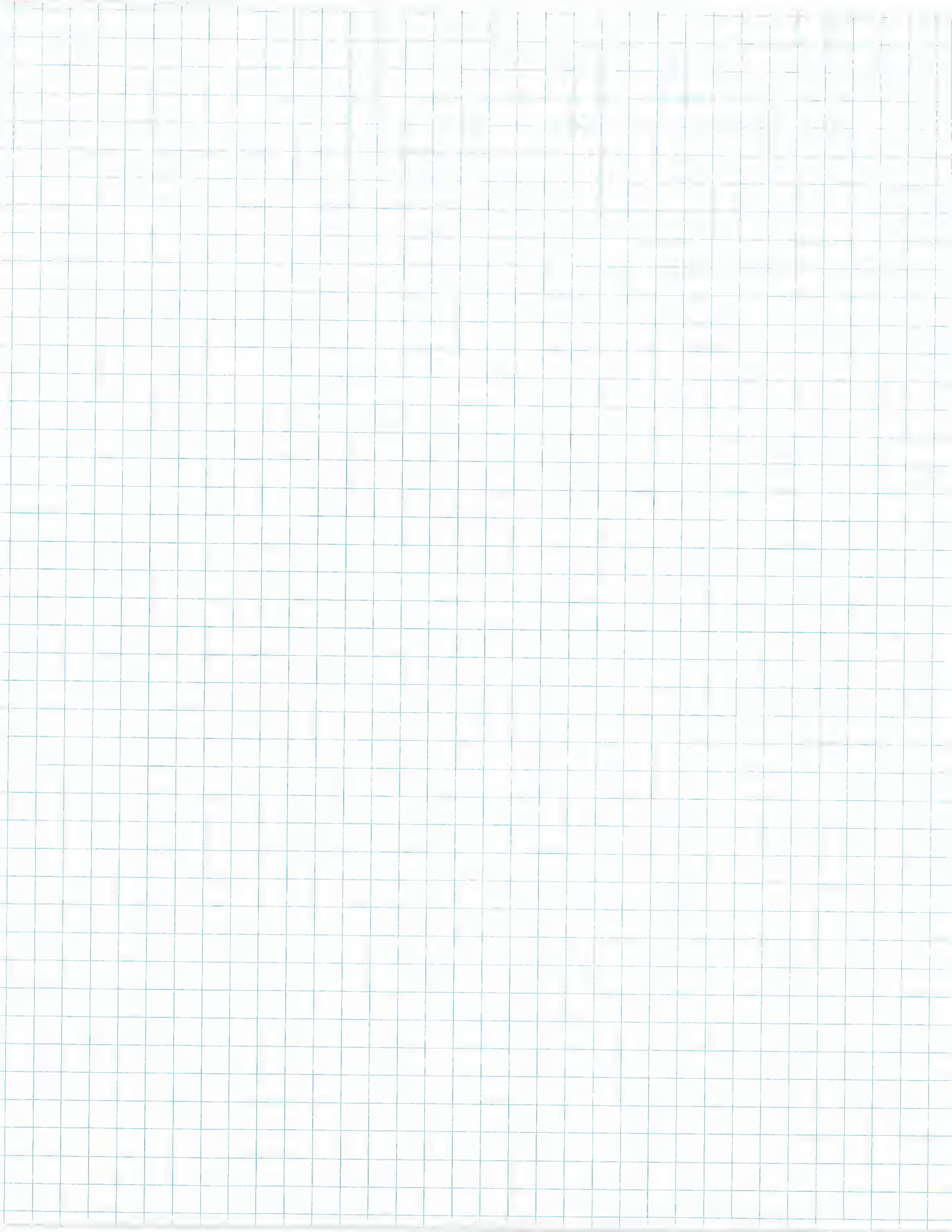


4
13021594
EPT
6-12-73

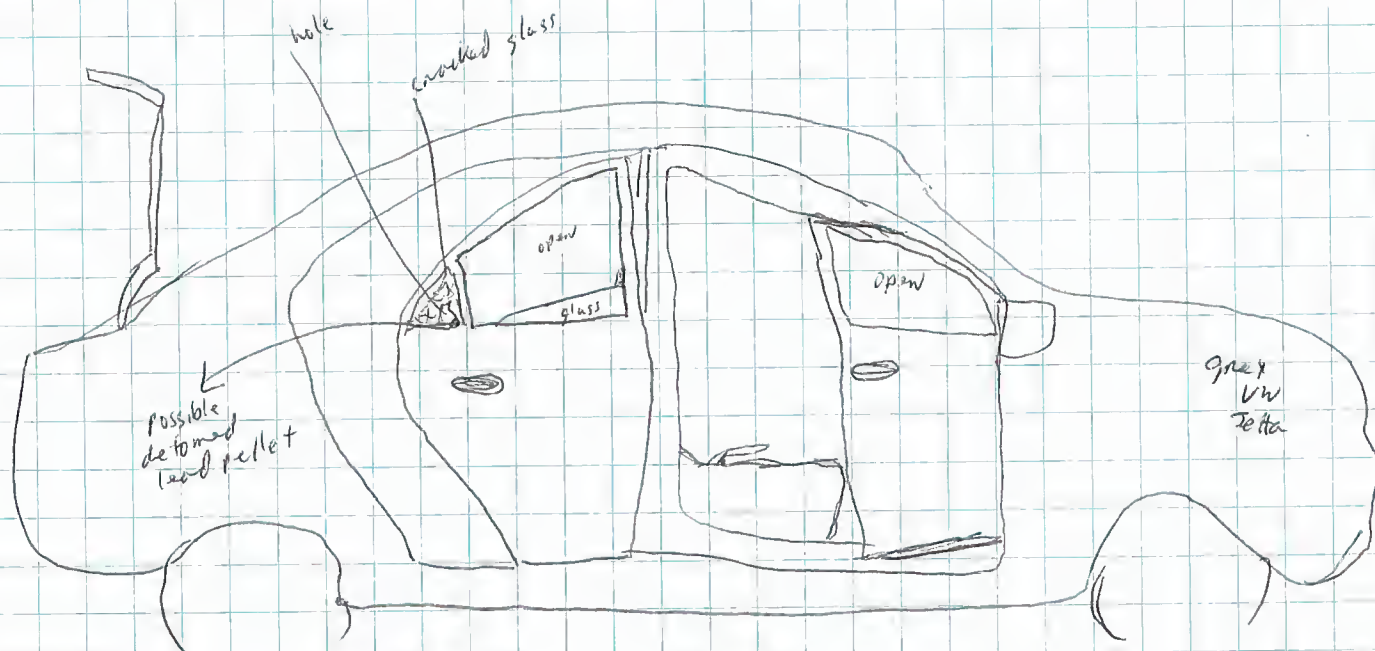


Shotgun was
on near driver's side floorboard

EPT 6-5-17: 17



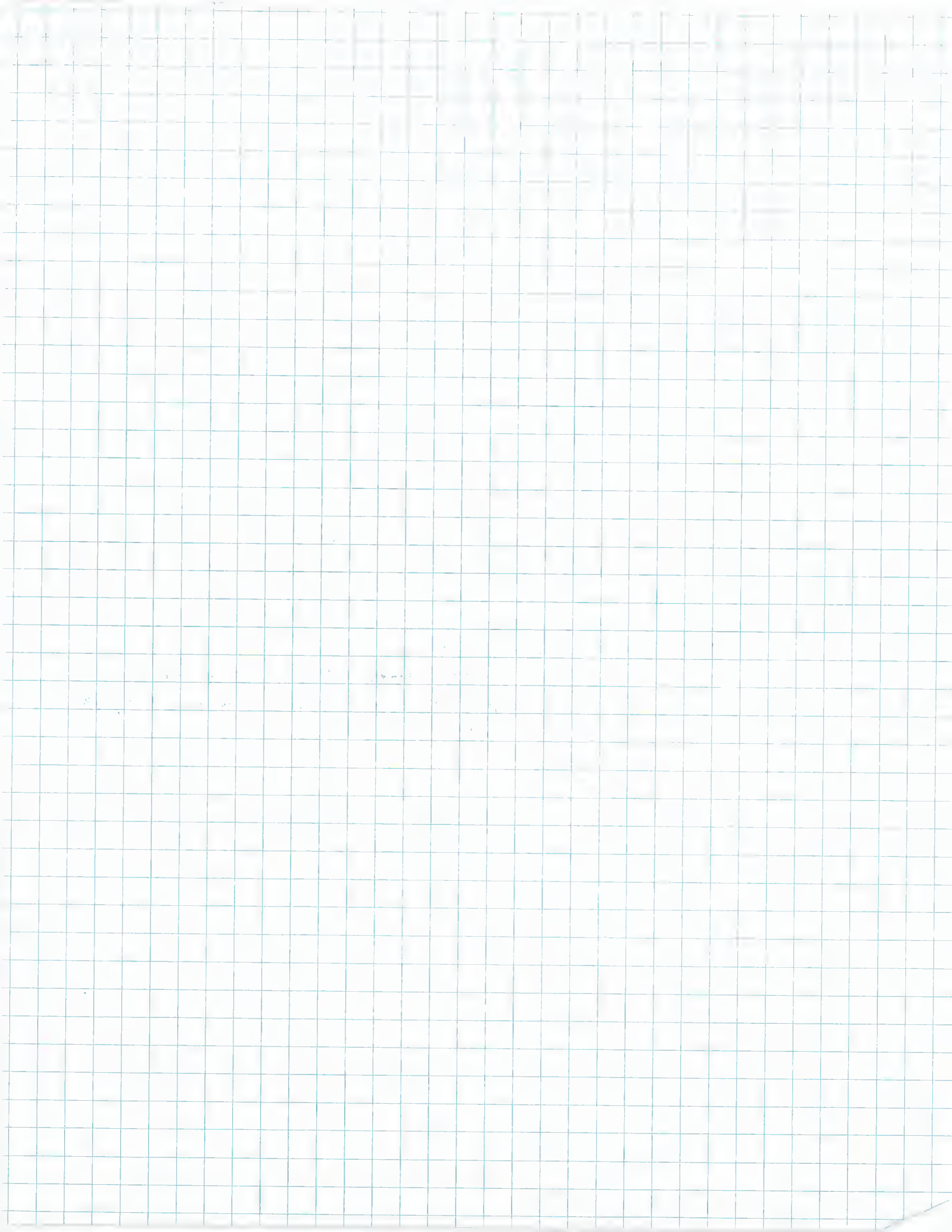
5
13021594
EPT
6-12-13



EPT 6-5-13:

review of photos

- pellet strike mark on exterior edge of pass. side near door frame - see photos 221, 550, 553



6
13011594
OFC
6-13-13

OFC walk thru ~ 1310

OFC RICK BUTERA 5876
where he fired

positioned himself

Q/2 6-5-13

1st shot directly across
from VW - shot from west side
of median thru ~~glass door~~ rear
windows

OFC moved south & fired again

distance to car from shell case
↳ driver's side

[2]

30'1"

distance to car from OFC position
↳ driver's side

33'11"

① to ②

26'1"

4'4" OFC pos to ① shell case

OFC position to knife ③

52'

① to ③

47'8"

Q/6-13-13: NO TRAJECTORY

DETERMINATIONS PERFORMED
DUE TO LACK OF 2 ANCHOR
POINTS

OFC position 1st shot to 2nd shot 28'6"

① shell case

② " "

③ knife

④ off blood

⑤ sunglasses

⑥ pill

⑦ pill

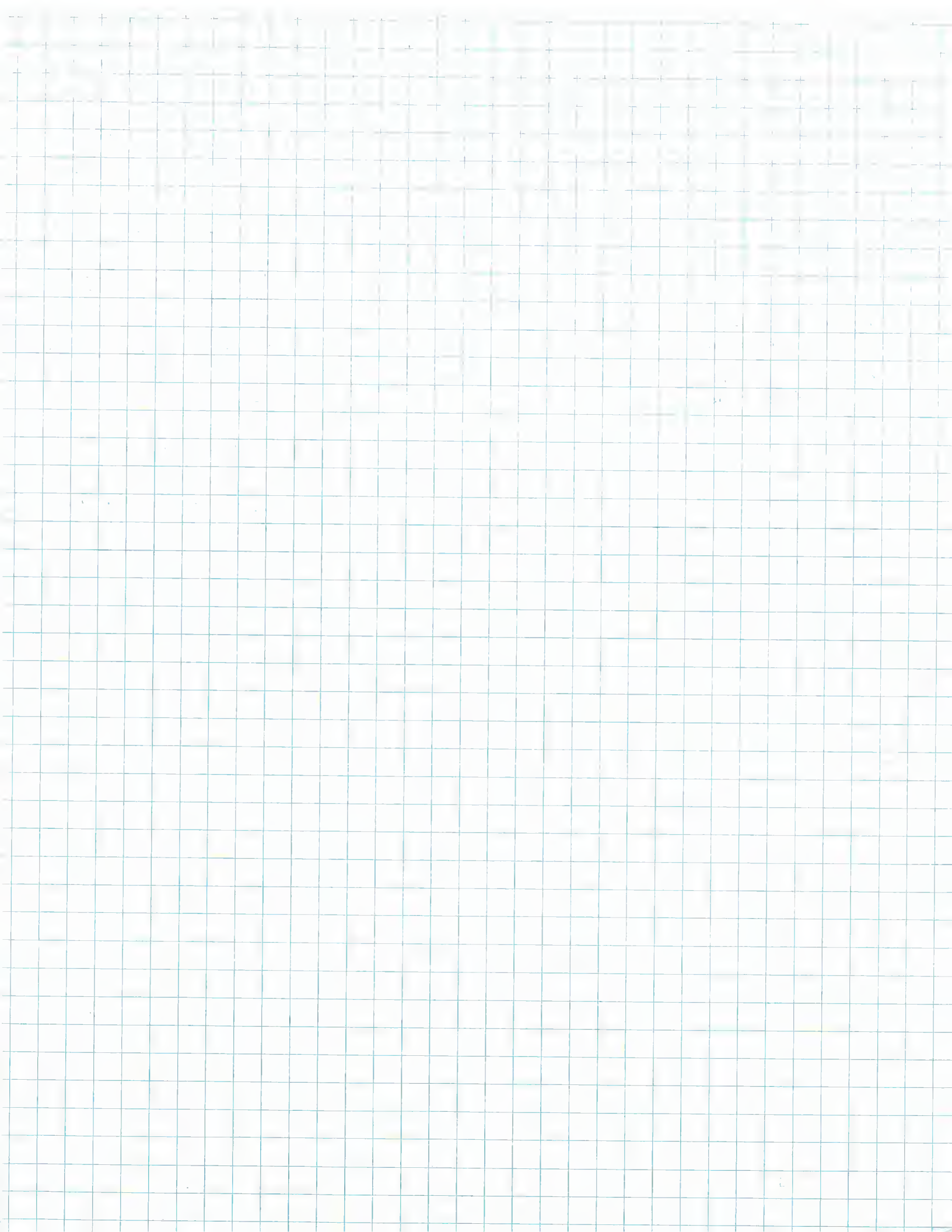
⑧ pellet

⑨ scope cover - Q/2 6-5-13 collected southbound lanes, south of SDPD 6893 - OFC BUTERA

BEVERLY semiauto shotgun from SDPD 6893

(left 1400

Q/2 6-5-13 : per Sgt Del Tono on 6-4-13/1, ^{black semiauto} handgun found in trunk of VW



Q/A 6-12-13

7
13021594
Q/A
6-12-13

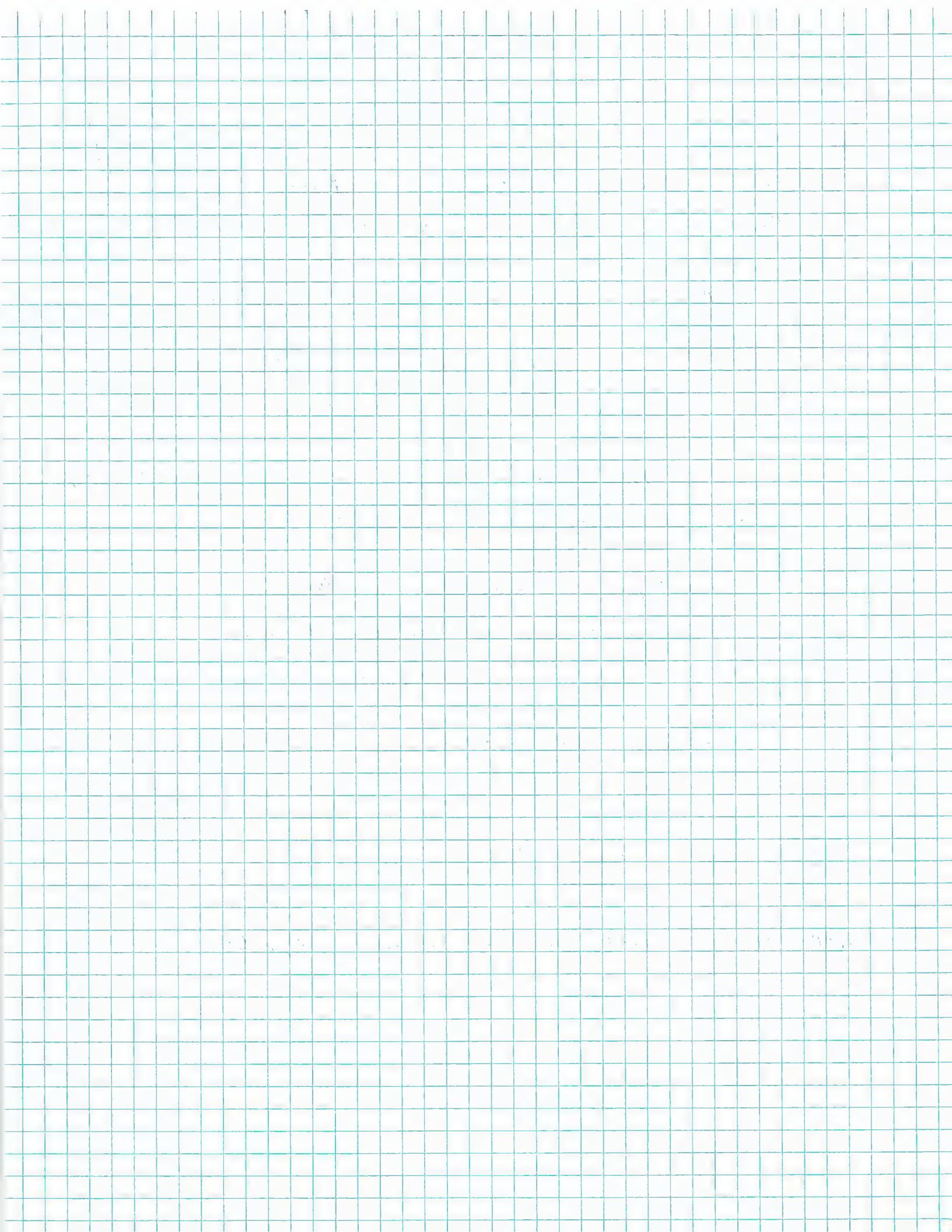
Medical Examiner / Autopsy info obtained

From CSS Sanders + from Sgt Del Toro on 6-11-13.

AUTOPSY performed 6-2-13 by Dr Monheime

- "S" had 7 penetrating gsw's and 4 penetrating gsw's which exited the back
- the gsw spread to the upper chest was 7" wide + 8" long
- 1 penetrating gsw to the right elbow
- 3 shot pellets were collected from the chest
- 3 shot pellets were collected from the back
- 1 shot pellet was collected from the right arm
- abrasions were noted on the head/face, upper shoulders, left leg, left arm, right leg
- pellets struck heart, lungs

SOPD: 00 Buck FEDERAC TACTICAL shotshells: [REDACTED]





219



204



188



227



224



221



240



239



030

A8
6-12-13

2/3/25/100-1

241

FIRST STATED
FIRING
LOCATION
OF OFC

SECOND STATED
FIRING
LOCATION
OF OFC



243



242



242



248



245

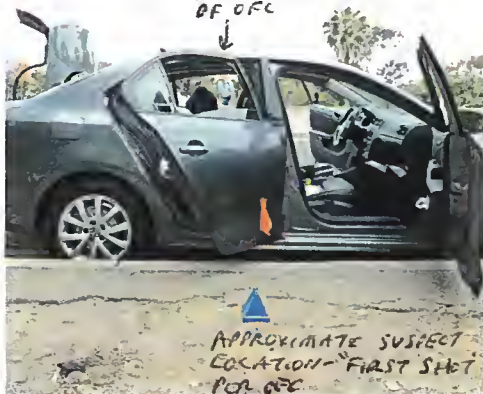


242

243

13-01549

STATED
FIRST
FIRING LOCATION
OF OFC



250

STATED
SECOND
FIRING
LOCATION OF OFC.



252

10
13071594
9/1
6-12-13



255

553

255

11/11
(302) 589
8/2
6-17-13

CONCLUSIONS

Based on the evidence from the scene, viewing of the cell phone video, the examination of the officer's shotgun and the autopsy information, the following conclusions can be made:

The evidence indicates that Officer Butera fired his shotgun twice from the vicinity of the median wall in a general easterly direction at the suspect. The pellets from one shot perforated the driver's side rear door window and the blue shirt hanging near the window. The pellets then traveled to the passenger's side rear door and struck the quarter window and the door frame around the quarter window. A number of pellets from this shot likely traveled through the open main window of this door and struck the suspect. The other shot from Officer Butera came from the vicinity of the median wall at a location south of where he fired into the vehicle. It appears that pellets from this shot also impacted the suspect.

The evidence from the scene and Officer Butera's shotgun are consistent with his stated firing locations.



SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION



CRIME SCENE UNIT LABORATORY REPORT

VICTIM:	BUTERA, SDPD Officer Richard
SUSPECT:	CARGNONI, Giacomo
CHARGE:	Special Investigation (OIS)/245(a)(2) PC
INCIDENT #:	13060000530
CASE #:	13-021594/13-021595
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

CRIME SCENE UNIT REPORT 1

Scene

I arrived at the scene located at 100 Sea World Drive on June 1, 2013, at approximately 1030 hours. I met Detective Leahy (case agent), ID #5869, the members of Homicide Team 5, Criminalist Eugene LaChimia, ID #8757, and Supervising Crime Scene Specialist Joe Berner, ID #8791, at this location. I took digital images #1 through #297, starting at approximately 1152 hours. I collected items of evidence starting at approximately 1345 hours.

Photography

- #1: View of the "Sunset Cliffs Blvd Bridge" sign.
- #2 - #27: Views of 100 Sea World Drive, facing north.
- #28 - #51: Views of 100 Sea World Drive, facing south.
- #52 - #78: Views of 100 Sea World Drive, facing north.
- #79 - #112: Views of 100 Sea World Drive, facing south.
- #113 - #120: Views of the Toyota Camry with California license plate number [REDACTED] parked on the east side of the northbound lanes, south of the crime scene.
- #121 - #137: Views of 100 Sea World Drive, facing west.

CRIME SCENE UNIT
Crime Scene Unit Report 1
Incident #13060000530
Case #13-021594
June 10, 2013
Page 2 of 11

#138 - #157: Views of 100 Sea World Drive, facing east.

#158 - #165: Views of the patrol vehicles parked in the northbound lanes.

#166: View of the suspect's vehicle in relation to the patrol vehicles.

#167 - #168: Views of patrol vehicle 6893⁶.

#169 - #170: Views of patrol vehicle 6874⁶.

#171 - #178: Views of patrol vehicle 6893⁶ in relation to the scene.

#179 - #184: Views of the interior of patrol vehicle 6893⁶ and the shotgun locked in the rack.

#185 - #202: Views of the exterior of the suspect's vehicle (Volkswagon Jetta with California license plate number [REDACTED] the contents of the trunk and the surrounding scene.

Photographs #203 through #230 were taken of the suspect's vehicle.

#203 - #204: Views of the broken rear driver-side window.

#205 - #209: Views of the interior of the vehicle.

#210: View of the open passenger-side doors.

#211 - #218: Views of the interior of the vehicle.

#219 - #225: Views of the broken rear passenger-side wing window.

#226 - #230: Views of the broken rear driver-side window and the shirt hanging inside.

#231 - #236: Views of the exterior of patrol vehicle 6893⁶ and the trunk contents.

#237 - #241: Views of the approximate locations of Officer Butera (pink flags) and the suspect (orange flags).

#242 - #248: Views of the line of sight from Officer Butera's approximated locations.

#249 - #253: Views of the line of sight from the suspect's approximated locations.

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- #254 - #262: Location views of the evidence items identified by placards 1 through 9.
- #263: View of the shot shell case (placard 1).
- #264: View of the shot shell case (placard 2).
- #265: View of the knife (placard 3).
- #266: View of the apparent blood (placard 4), from which a sample was collected.
- #267 - #268: Views of the sunglasses (placard 5).
- #269: View of the pill (placard 6).
- #270: View of the pill (placard 7).
- #271: View of the shot pellet (placard 8).
- #272: View of the lens cover (placard 9).
- #273 - #288: Views of the officer's shotgun and bandoleer, after they were removed from the patrol vehicle.
- #289 - #290: Location views of the evidence items identified by placards 10 and 11.
- #291 - #295: Views of the handgun (placard 10).
- #296: View of the shirt (placard 11).
- #297: View of the street after the suspect's vehicle was towed away.

Evidence

Placards 1 and 2 were collected from the street along the center median of the northbound lanes.

- 10233620:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 1) with headstamp "12 GA MADE IN USA."
- 10233621:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 2) with headstamp "12 GA MADE IN USA."

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Placards 3 through 5 were collected from the dirt embankment on the east side of the northbound lanes, east of the suspect's vehicle.

10233622: One "OSBORNE" black handled folding knife (placard 3). The knife was open when collected.

10233623: One swab of apparent blood (placard 4).

10233625: One pair of black and silver, dirty sunglasses (placard 5).

Placards 6 and 7 were collected from the street, underneath the driver door of the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233626: One white round pill (placard 6) inscribed with a scripted "R" and "35."

10233627: One white round pill (placard 7) inscribed with a scripted "R" and "35."

10233628: One shot pellet (placard 8). This item was collected from the ledge of the rear passenger-side window of the suspect's vehicle.

10233629: One black "AIMPOINT" lens cover (placard 9). This item was collected from the street in the southbound lanes, south of patrol vehicle 6893⁶.

Placards 10 and 11 were collected from inside the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233630: One "TWI DESERT EAGLE PISTOL 9mm" handgun (placard 10) with serial number [REDACTED]. This item was collected from inside the trunk, after a search was conducted.

10233631: One size "16 32-33 R" blue "theory" long sleeved, button up dress shirt (placard 11) with numerous holes. This item was collected from the hanger, hanging inside the rear driver-side window.

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Officer Involved Weapon

While at the scene, I collected the following item of evidence from the locked rack inside patrol vehicle 6893⁶.

One "BENELLI 12 GA" shotgun with serial number [REDACTED] and one bandoleer containing [REDACTED]

Officer Processing

I arrived at the San Diego Police Department Crime Scene Unit Studio on June 1, 2013, at approximately 1520 hours to process Officer Richard Butera, ID #5876. Detective Chris Leahy, ID #5869, and Officer Marciniak, ID #5179, were present during processing. I took digital photographs #298 through #310, starting at approximately 1522 hours. No evidence was collected.

Photography

#298 - #310: Views of the front, left, back and right sides of the officer.

Autopsy

I arrived at the San Diego County Medical Examiner's Office on June 2, 2013, at approximately 0910 hours to attend the autopsy of suspect Giacomo Cargnoni (ME #13-1284). Detective Chris Leahy, ID #5869, and Detective Gary Gonzales, ID #5328, met me at this location. I took digital photographs #311 through #501, starting at approximately 0938 hours. I collected and/or received items of evidence starting at approximately 0956 hours.

Photography

#311: View of the red lock and nametag on the suspect's body bag.

#312 - #313: Views of the suspect's body bag.

#314 - #316: Views of the suspect before the head, hand and foot bags were removed.

#317 - #319: Views of the suspect before the medical paraphernalia was removed.

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Photographs #320 through #386 were taken of the suspect in an unclothed and unwashed condition.

#320 - #323: Views of the suspect's hands.

#324 - #337: Views of the left, right and front sides of the suspect.

#338 - #343: Views of the apparent wounds on the suspect's left leg.

#344 - #347: Views of the apparent wounds on the suspect's left arm.

#348 - #359: Views of the apparent wounds on the suspect's torso.

#360 - #367: Views of the apparent wounds on the suspect's face.

#368 - #370: Views of the bump on the suspect's right arm (apparent shot pellet under the skin).

#371 - #374: Views of the apparent wounds on the suspect's right leg.

#375 - #377: Views of the apparent wounds on the suspect's right arm.

#378 - #382: Views of the back side of the suspect.

#383 - #386: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.

Photographs #387 through #485 were taken of the suspect in an unclothed and washed condition.

#387 - #401: Views of the left, right and front sides of the suspect.

#402 - #405: Views of the suspect's hands.

#406 - #412: Views of the apparent wounds on the suspect's right leg.

#413 - #420: Views of the apparent wounds on the suspect's right hand and arm.

#421 - #424: Views of the apparent wounds on suspect's right hip and side.

#425 - #435: Views of the apparent wounds on the suspect's torso.

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- #436 - #437: Views of the apparent wounds on the suspect's right shoulder.
- #438 - #450: Views of the apparent wounds on the suspect's neck and face.
- #451 - #460: Views of the apparent wounds on the suspect's left shoulder and arm.
- #461 - #462: Views of the apparent wounds on the suspect's left side.
- #463 - #471: Views of the apparent wounds on the suspect's left leg.
- #472 - #475: Views of the back side of the suspect.
- #476 - #485: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.
- #486 - #494: Views of the shot pellets removed from the suspect's back.
- #495 - #497: Views of the shot pellet removed from the suspect's right arm.
- #498 - #500: Views of the shot pellet removed from the suspect's anterior epicardial.
- #501: View of the shot pellet removed from the suspect's posterior aorta.

Evidence

- 10233632: One paper bag from the suspect's head.
- 10233634: One paper bag from the suspect's right hand.
- 10233635: One paper bag from the suspect's left hand.
- 10233636: One paper bag from the suspect's right foot.
- 10233637: One paper bag from the suspect's left foot.
- 10233638: One pair of size "L" black and yellow "Nike Therma-Fit" dirty athletic pants with medical intervention cuts.
- 10233639: One pair of size "M" white and gray "EXPRESS" boxer briefs with apparent bloodstains and medical intervention cuts.

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I received the following seven items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233640:* One manila envelope labeled "anterior epicardial," containing one shot pellet.
- 10233641:* One manila envelope labeled "posterior aorta," containing one shot pellet.
- 10233642:* One manila envelope labeled "L back, lower," containing one shot pellet.
- 10233644:* One manila envelope labeled "R back, mid," containing one shot pellet.
- 10233646:* One manila envelope labeled "L back, upper," containing one shot pellet.
- 10233647:* One manila envelope labeled "spinal cord," containing one shot pellet.
- 10233648:* One manila envelope labeled "R arm," containing one shot pellet.
- 10233649:* Reference mouth swabs.
- 10233653:* Fingernail scrapings from the right hand.
- 10233654:* Fingernail scrapings from the left hand.
- 10233655:* Plucked head hair.

I received the following three items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233656:* One rib bone sample.
- 10233658:* One vial of blood.
- 10233660:* One set of inked finger and palm prints.
- 10233662:* One "Reference Bloodstain Card" from the suspect's blood (10233658), prepared in the Crime Scene Unit on June 2, 2013.

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Vehicle Processing

I arrived at the San Diego Police Department Aero Drive Impound Garage on June 3, 2013, at approximately 0830 hours to process the gray Volkswagon Jetta with California license plate number [REDACTED]. Detective Chris Leahy, ID #5869, met me at this location. I took digital photographs #502 through #557, starting at approximately 0841 hours. I collected items of evidence starting at approximately 0900 hours. All items of evidence were collected after a search was conducted.

Photography

- #502 - #506: Views of the exterior of the vehicle before the paper was removed from the broken windows.
- #507 - #514: Views of the exterior of the vehicle after the paper was removed from the broken windows.
- #515 - #531: Views of the interior of the vehicle and the trunk contents.
- #532 - #534: Location views of the evidence items identified by placards 12 and 13.
- #535: View of the pills (placard 12).
- #536: View of the prescription bottle (placard 13) containing miscellaneous pills.
- #537: Location view of the evidence item identified by placard 14.
- #538: View of the prescription bottle (placard 14) containing apparent marijuana.
- #539 - #540: Views of the suspect's wallet and Driver License.
- #541 - #543: Location views of evidence items identified by placards 15 through 18.
- #544 - #545: Views of the iPad and contents of the bag (placard 15).
- #546 - #549: Views of the holster (placard 16) [including a miscellaneous image]
- #550: View of the shotgun wad (placard 17).
- #551 - #552: Views of the box containing apparent marijuana (placard 18).

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#553 - #556: Views of the apparent strike mark labeled "A."

#557: View of the Vehicle Identification Number (VIN).

Evidence

- 10233666:** Six loose white round pills (placard 12) inscribed with a scripted "R" and "35." This item was collected from the driver seat.
- 10233668:** One open (no lid) prescription bottle (placard 13) containing twenty-eight oblong white capsules stamped with a scripted "R" "077" and one white round pill inscribed with a scripted "R" and "35." This item was collected from the front passenger-side seat.
- 10233673:** One green prescription bottle (part of placard 14) containing apparent marijuana. The label is hand printed with "5g Green Crack." This item was collected from the center console.
- 10233674:** Several loose, apparent marijuana leaves (part of placard 14). This item was collected from the center console.
- 10233676:** One green "TUMI" case containing an "iPad" (part of placard 15). This item was collected from the front passenger-side seat.
- 10233679:** This item (part of placard 15) consists of the following:
- One baggie of apparent marijuana
 - One black drawstring bag containing one glass pipe
- This item was collected from inside the bag on the front passenger-side seat.
- 10233681:** Two bottles of liquid "Lidocaine 1%" (part of placard 15). This item was collected from inside the bag on the front passenger-side seat.
- 10233684:** One black "Pro Tech Outdoors" holster (placard 16). This item was collected from the rear pocket of the front passenger seat.
- 10233686:** One plastic shotgun wad (placard 17). This item was collected from the rear driver-side floorboard.
- 10233687:** One "Red Hook" box (placard 18) containing loose apparent marijuana. This item was collected from the trunk.

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Discs


- 10233688: One "Master" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233689: One "Working Copy" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233690: One "Master" DVD containing digital images #311 through #557 (autopsy and vehicle processing).
- 10233691: One "Working Copy" DVD containing digital images #311 through #557 (autopsy and vehicle processing).

DISPOSITION OF EVIDENCE

Each item of evidence was assigned a unique barcode and will be impounded under *Incident #13060000530*. Items will be impounded in the *Headquarters Property Room*, with the following exceptions:

The "Master" and "Working Copy" discs will be impounded in the *Laboratory* files. Additional copies of the "Working Copy" discs were released to Detective Leahy, Homicide Unit.

Officer Butera's shotgun and bandoleer were released to Sergeant Manny Del Toro, Homicide Unit.



Jennifer C. Sanders, ID #8393
Crime Scene Specialist
June 10, 2013

jcs

Technical Review: Kmw #8245 Date: 06.10.2013

Administrative Review: 825 8791 Date: 6.10.2013



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION
FIREARMS UNIT LABORATORY REPORT**



VICTIM: SDPD Officer Richard BUTERA, ID #5876
SUSPECT: CARGNONI, Giacomo (Deceased)
CHARGE: O.I.S. Special Investigation / 245(a)(2) PC
CASE #: 13-021594
INCIDENT #: 13060000530
HOMICIDE TEAM 5: Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT: June 1, 2013 (Saturday)
SCENE LOCATION: 100 Sea World Drive
CRIME SCENE SPECIALIST: Jennifer C. Sanders
CRIMINALIST: Eugene LaChimia

EVIDENCE EXAMINED:

One Benelli, model M4, semiautomatic 12 gauge shotgun, serial # [REDACTED] and one black bandoleer containing [REDACTED] "Federal Premium Tactical" rifled slug shotshells and [REDACTED] "Federal Premium Tactical" 00 Buck shotshells, all from Officer Butera

RESULTS AND CONCLUSIONS:

The Benelli shotgun was received with the hammer cocked, the bolt closed, the manual safety on, a shotshell in the chamber and four shotshells in the tubular magazine. The shotshells in the magazine and chamber, "Federal Premium Tactical" 00 Buck, were consistent with Department ammunition. [REDACTED]

[REDACTED] This evidence indicated that two shotshells had been fired from the shotgun. The shotgun was testfired and found to operate normally. Details of all examinations are on file in the laboratory.

DISPOSITION OF EVIDENCE:

The shotgun and bandoleer were released to Crime Scene Specialist Sanders. The Firearms Processing Packet for the shotgun was entered into the evidence barcode system (Barcode 10233661) and taken to the Property Room.

[REDACTED]
Eugene J. LaChimia, ID# 8757
Criminalist
June 4, 2013

Technical Review: [REDACTED] Date: 05 June 13

Administrative Review [REDACTED] Date: 6-6-13

tech review
AW 8512 05 June 13

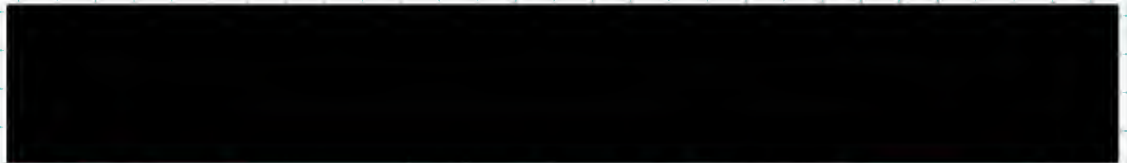
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6-4-13

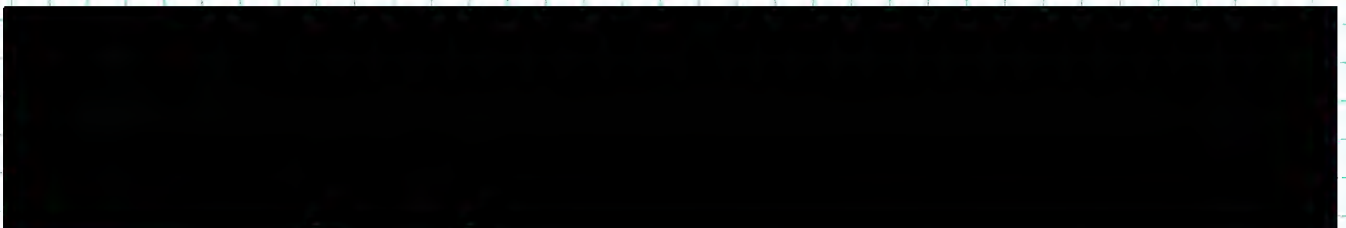
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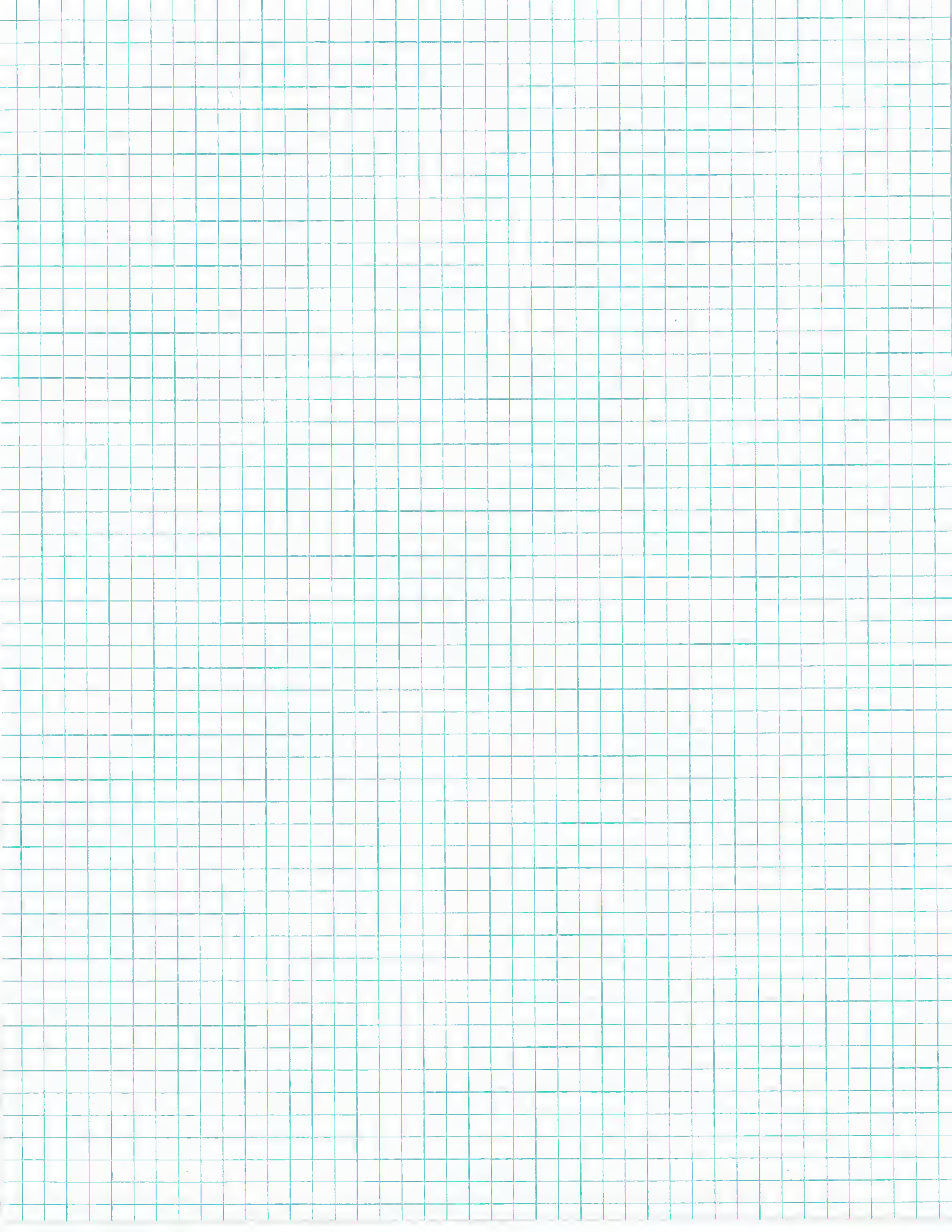


SEE WORKSHEET



8/7 6-4-13





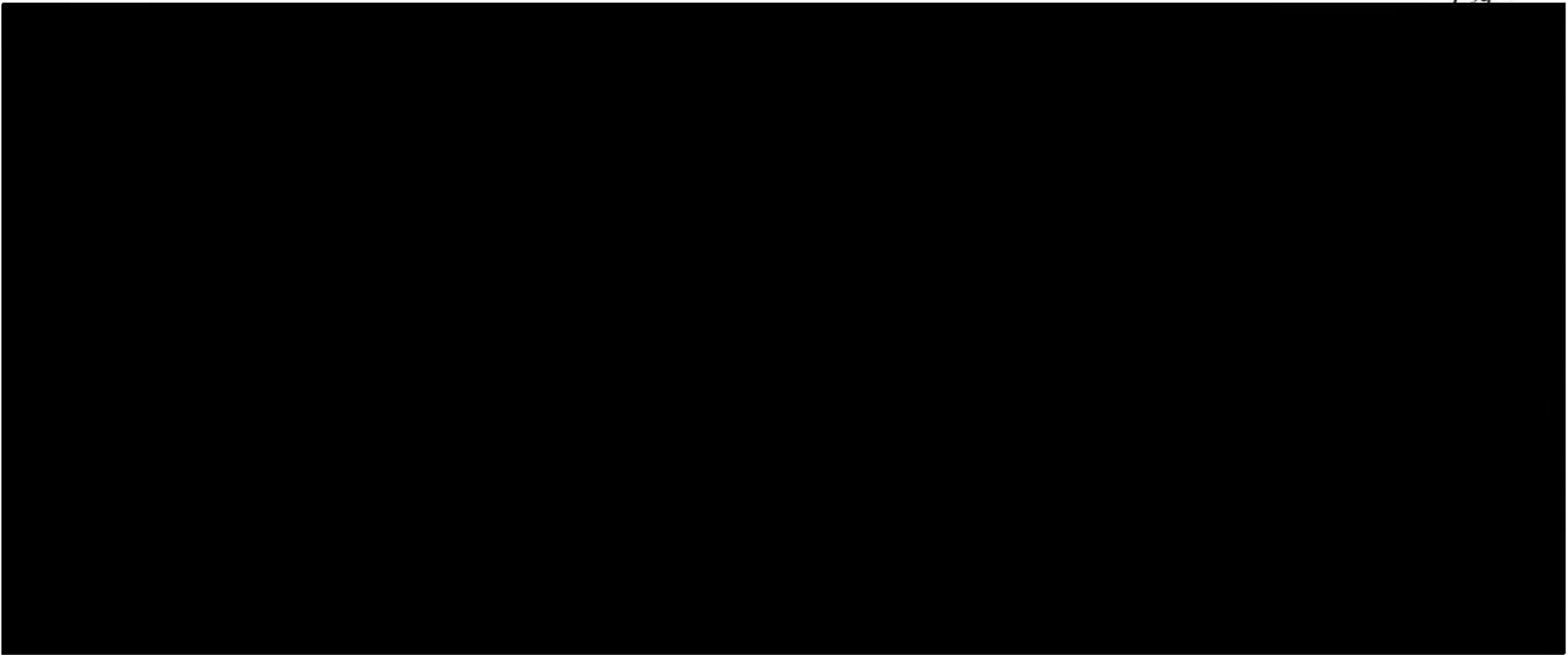
SAN DIEGO POLICE DEPARTMENT
FORENSIC SCENE SECTION - FIREARMS UNIT
FIREARMS WORKSHEET

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13021594
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13-021594 Property Tag #: _____

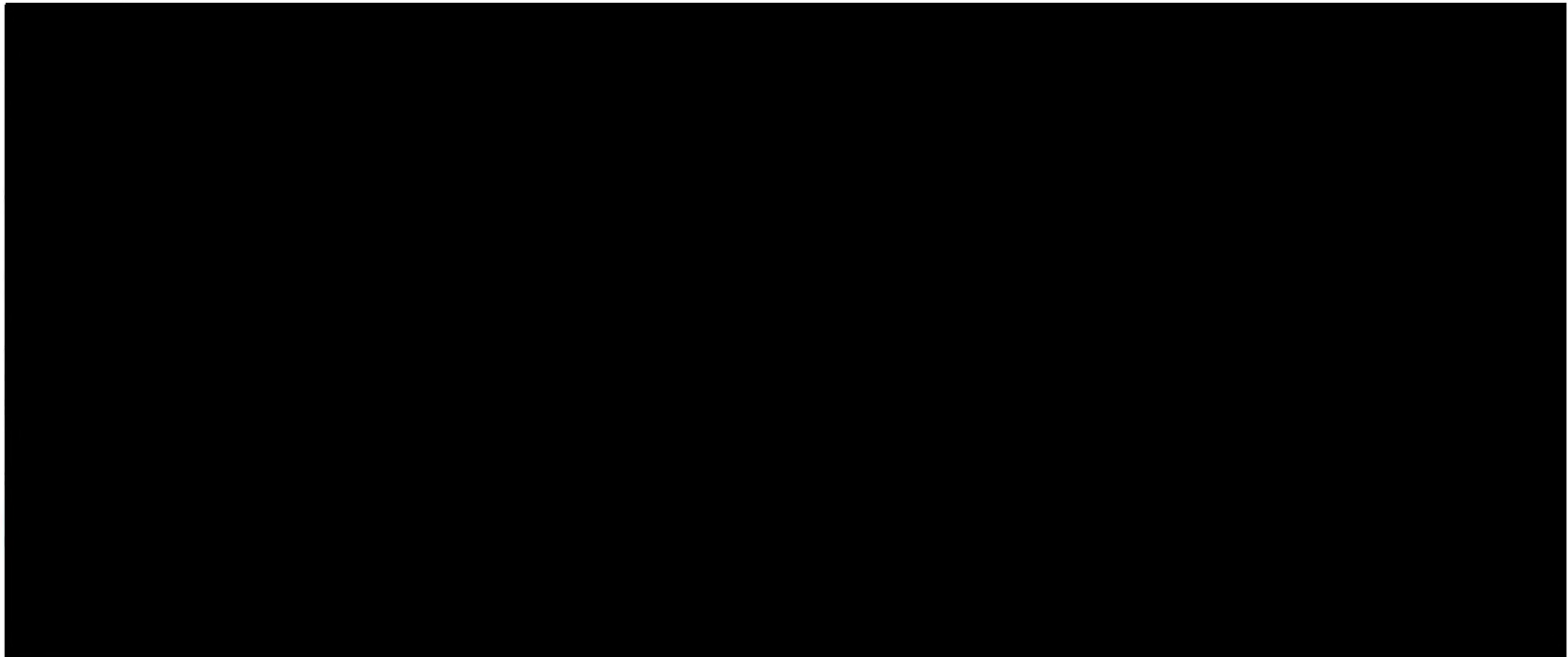
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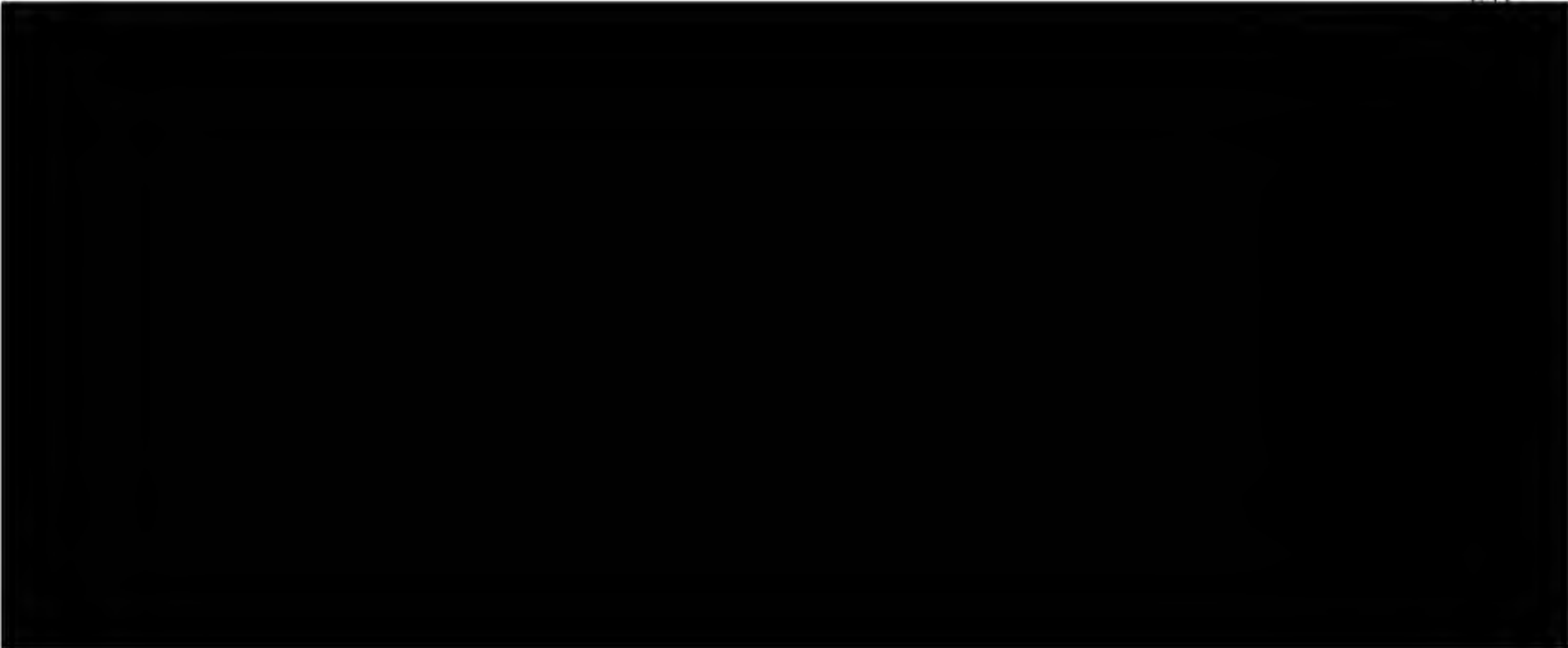
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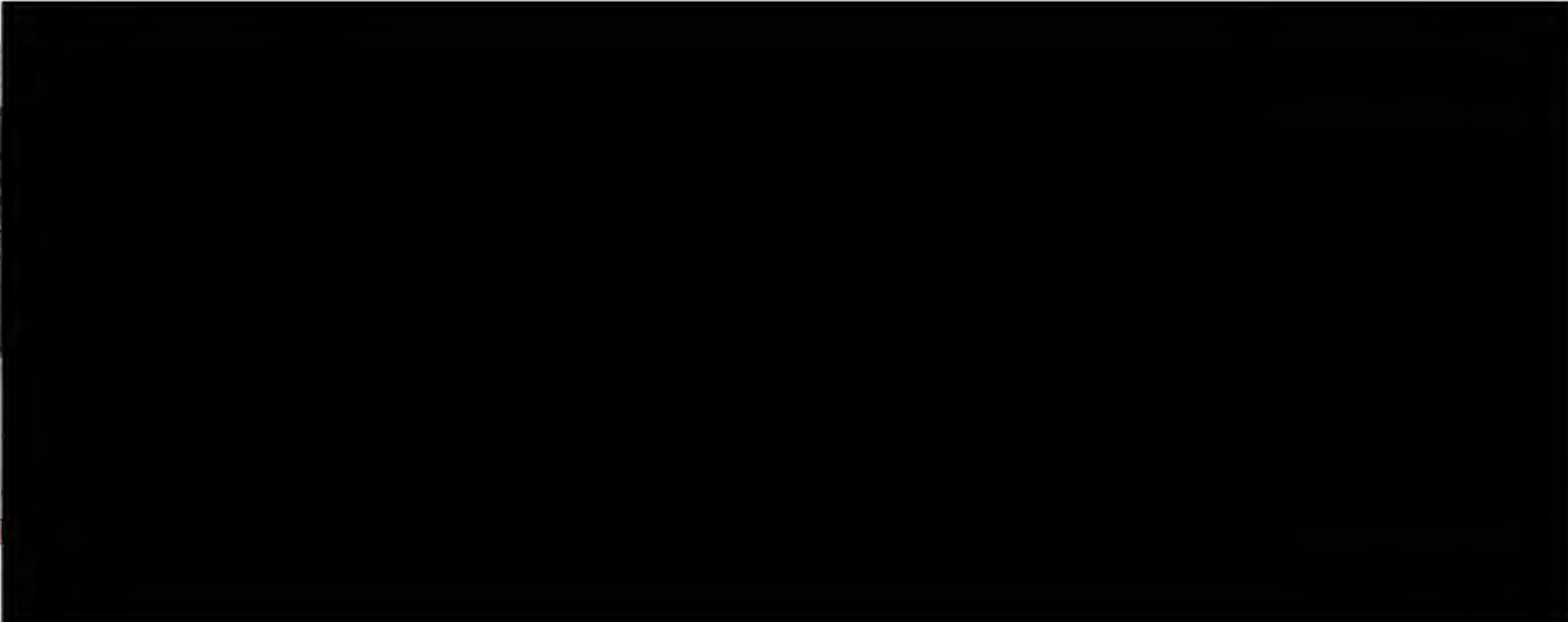
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San Diego Police Department
Forensic Science Section



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**INTERNAL CHAIN OF
CUSTODY**

Victim(s) Officer Richard Butera

Suspect(s) Giacomo Cargoni


Property Tag # <u>13060000530</u> Case # <u>13-021594</u>	
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>Lacthima</u> ID # <u>875</u> Items Received <u>officer shotgun + bandolier</u> Purpose <u>Process</u> Date <u>6-3-13 0920</u>
Released By: (Name/ID) <u>Lacthima</u> <u>8757</u>	Received By <u>Sanders</u> ID # <u>8393</u> Items Received <u>shotgun + bandolier</u> Purpose <u>return to officer</u> Date <u>6-4-13 @ 1040</u>
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____

SAN DIEGO POLICE DEPARTMENT
Property Report

Incident Number: **13060000530**

Case Number: **13-021594**

7
13-021594
C/2
6-4-13

BarCode	Item #	Item Type	Description
 10233661	33	LABORATORY EVIDENCE	

FA Proc Pkt for Ofc Butera Benelli shotgun SN: [REDACTED]

Suspect: **CARGNONI, Giacomo** DOB:

Recovered By: **LACHIMIA, EUGENE 8757**

Date Recovered: **06/04/2013**

Recovery Address / Location: **Crime Lab Firearms**

Impounded By: **Lachimia, Eugene 6/4/13 10:29**

NOTES: Testfires, mag contents, chamber contents, bore swab, bandoleer contents

**SAN DIEGO POLICE DEPARTMENT
CHAIN OF CUSTODY**

8/8
13-021594
6/4/13

INCIDENT #: **13060000530** ITEM #: **33** CASE #: **13-021594**
RECOVERED BY: **LACHIMIA, EUGENE - 8757** RECOVERY DATE: **06/04/2013**
RECOVERY ADDRESS: **Crime Lab**
RECOVERY LOCATION: **Firearms**
TRANSPORTED BY: **-** TRANSPORT DATE:



10233661

LABORATORY EVIDENCE

FA Proc Pkt for Ofc Butera Benelli shotgun SN: [REDACTED]

<i>Date/Time</i>	<i>Logged in User</i>	<i>Item moved to this Location</i>
6/4/2013 10:29:37AM	Lachimia, Eugene	Collected Property
6/4/2013 12:28:59PM	Fasching, Daniel	RECEIVED HEADQUARTERS [REDACTED]
RECEIVED AT HQ COUNTER - from lab		

lachimia #8757

End Chain of Custody for Item with barcode #: **10233661** related to Case # **13-021594**

NOTES:

Testfires, mag contents, chamber contents, bore swab, bandoleer contents

ADMIN. DOC.



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



CRIME SCENE UNIT LABORATORY REPORT

VICTIM:	BUTERA, SDPD Officer Richard
SUSPECT:	CARGNONI, Giacomo
CHARGE:	Special Investigation (OIS)/245(a)(2) PC
INCIDENT #:	13060000530
CASE #:	13-021594/13-021595
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

CRIME SCENE UNIT REPORT 1

OFFICER INVOLVED INCIDENT CHECKLIST

LAST NAME: BUTERA FIRST: RICHARD MIDDLE: THOMAS

Age [REDACTED] D.O.B. [REDACTED] Height 5-6
 Weight 180 Hair BRN Eyes HZL
 Police ID # 5876 Badge # 4028
 Date of Hire 05-10-02
 Assignment W-1
 Supervisor NICK BORELLI
 Length of Assignment 11 YEARS
 Unit # 621B1 Equipment # 6893
 Work Hours 0600-1600 Days Off MTW
 Hours of Sleep Prior to Shift 8.5
 Right/Left Handed RT

Primary Weapon

Make _____ Caliber _____

Serial # _____ Model # _____

Department ☐ Personal ☐

Secondary Weapon

Make BENELLI M-4 Caliber SHOTGUN

Serial # _____ Model # M-4

Department ☐ Personal ☒

Have you drunk any alcoholic beverages in the last 24
 Hours? If so, Type [REDACTED]

Quantity _____

Less Than Lethal Force Used? Yes ☐ No ☒

OCN (Pepper Spray) ☐ Baton ☐ ASP ☐

Nunchukas ☐ Taser ☐ Beanbag ☐

Other ☐

1401 HRS

DEL TORO
 Sergeant

06/01/13
 Date:

Military Baseline M4

Table 1. Technical features of the M1014 Combat Shotgun
(Refer to call-outs in Figure 5)
(cont'd)

13. Safety Button

The safety red zone has been increased in order to permit better visibility. The plates are different in shape to permit tactile identification. The safety button is reversible by a unit armorer for left-handed operators.

14. Shell Release Lever

The shell release lever system allows for the release of a round present in the tubular magazine onto the shell carrier during loading. It is also used to lock the bolt rearward when the weapon is empty.

15. Shell Carrier

The design of the shell carrier has been improved in order to produce better cartridge feeding and chambering.

16. Sling Attachments

Integrated ambidextrous sling attachment points in the stock and in the rear barrel ring allow for the use of U.S. small arms slings.

17. Magazine Cap

An ergonomic magazine cap has been reinforced with a metal insert.

18. Follower

New geometry allows for smooth loading in standard and adverse conditions. The empty magazine may be checked visually (red color) or by touch (raised ring).

19. Magazine Seal Ring

The seal ring holds the compressed magazine spring within the magazine during field stripping. It can be removed, inspected and reinstalled by the operator without special tools when the tubular magazine requires cleaning using only the bolt handle.

20. Captured Trigger Bolt Group Locking Pin

The shotgun may be stripped into major sub-assemblies (barrel assembly, bolt, trigger, receiver and stock assemblies) in a few seconds without the use of any tools and with reduced risk of losing parts. Small components such as the locking pin (receiver) and firing pin (bolt) are protected from loss during disassembly by the retaining systems employed in this design.

21. Bolt release

Positioned for ambidextrous actuation by the operator's non-shooting hand. The bolt release allows the bolt to travel forward during loading.

Features include:

- Shoulder-fired with a modular telescoping buttstock with pistol grip.
- The ability to fire 2.75-inch standard and 3.00-inch magnum shells interchangeably.
- A reinforced, heat-treated, steel alloy tubular magazine with the capacity to hold seven 2.75-inch shells.
- A Ghost Ring sighting system and an accessory-mounting rail.
- An improved ARGO (Auto Regulating Gas Operating) system.

Table 2 outlines the physical characteristics of the M1014 Combat Shotgun.

Table 2. Technical data for the M1014 Combat Shotgun

Military Benelli M4

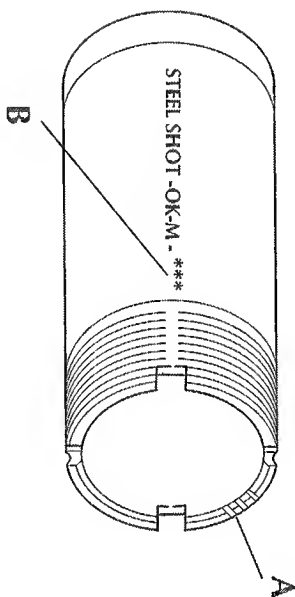
Caliber	12-gauge
Chamber length	3.00"
Method of operation	Semi-automatic and manual cycling
System of operation	ARGO Twin System (Auto-Regulating Gas Operated) with dual gas system.
Bolt system	Rotating bolt head with dual locking lugs.
Safeties	1. Ambidextrous cross-bolt safety button. 2. Disconnect. 3. Inertia firing pin drop safety. 4. Bolt group design
Magazine capacity	18.50" Barrel 2.75" shells - 7 3.00" shells - 6
Butt stock	Modular telescopic buttstock with removable pistol grip.
External finish	Steel parts - heavy phosphate Aluminum parts - hard anodic Durable, corrosion resistant, non-reflective, black in color.
Barrel options	Standard 18.50" barrel with fixed modified choke. Barrels exchangeable by operator without tools.
Sights	Mechanical Ghost Ring sights adjustable for elevation and windage.
Accessory mounting rail	On receiver to MIL STD 1913 dimensions. With 13 recoil grooves, semi-permanently attached to receiver using five mounting screws.
Sling attachment	Accommodates standard U.S. military rifle sling up to 1.25" width. Ambidextrous attachment points.
Targeting	Average of 6.4 pellets struck E-type silhouette at 40 meters.
Safe unloading of magazine	Without cycling rounds through action. Manual removal of loaded shells in magazine through loading port.
Ambidextrous operation	Operate by left and right-handed shooters. All operating controls and sling attachment points allow for ambidextrous operation.
Operator maintenance	Average time to field strip is under 36 seconds. Average time to clean and lube less than 10 minutes. Average time to load 11.5 seconds.
Endurance	Exceeds 10,000 rounds without requiring overhaul.
Weight (pounds)	8.44 lbs (empty)
Trigger pull	5.50 - 7.28 lbs
Overall length (inches)	39.8" buttstock extended. 34.9" buttstock collapsed.
Sight radius	23.70"
Height (inches)	8.26"
Width (inches)	2.30"



Gli strozzatori Benelli sono marcati per una rapida identificazione. Le intacche sulla parte frontale di ogni strozzatore permettono un rapido riconoscimento della strozzatura, anche quando lo strozzatore è montato.

Benelli choke tubes are marked for easy identification. Notches on the muzzle end of each tube allow for quick recognition, even when the choke tube is installed in the shotgun.

ADMIN.DOC.



A INTACCHE
B SIMBOLO

A NOTCHES
B SYMBOL

INTACCHE NOTCHES	STROZZATURA CHOKE	SIMBOLO SYMBOL	PALLINI D'ACCIAIO STEEL SHOT
I	Full	X	NO
II	Improved Modified	XX	NO
III	Modified	XXX	OK
IIII	Improved Cylinder	XXXX	OK
IIIII	Skeet	XXXXX	OK



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**



CRIME SCENE UNIT LABORATORY REPORT

VICTIM:	BUTERA, SDPD Officer Richard
SUSPECT:	CARGNONI, Giacomo
CHARGE:	Special Investigation (OIS)/245(a)(2) PC
INCIDENT #:	13060000530
CASE #:	13-021594/13-021595
HOMICIDE TEAM 5:	Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT:	June 1, 2013 (Saturday)
SCENE LOCATION:	100 Sea World Drive
CRIME SCENE SPECIALIST:	Jennifer C. Sanders
CRIMINALIST:	Eugene LaChimia

CRIME SCENE UNIT REPORT 1

Scene

I arrived at the scene located at 100 Sea World Drive on June 1, 2013, at approximately 1030 hours. I met Detective Leahy (case agent), ID #5869, the members of Homicide Team 5, Criminalist Eugene LaChimia, ID #8757, and Supervising Crime Scene Specialist Joe Berner, ID #8791, at this location. I took digital images #1 through #297, starting at approximately 1152 hours. I collected items of evidence starting at approximately 1345 hours.

Photography

- #1: View of the "Sunset Cliffs Blvd Bridge" sign.
- #2 - #27: Views of 100 Sea World Drive, facing north.
- #28 - #51: Views of 100 Sea World Drive, facing south.
- #52 - #78: Views of 100 Sea World Drive, facing north.
- #79 - #112: Views of 100 Sea World Drive, facing south.
- #113 - #120: Views of the Toyota Camry with California license plate number [REDACTED] parked on the east side of the northbound lanes, south of the crime scene.
- #121 - #137: Views of 100 Sea World Drive, facing west.

CRIME SCENE UNIT
Crime Scene Unit Report 1
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#138 - #157: Views of 100 Sea World Drive, facing east.

#158 - #165: Views of the patrol vehicles parked in the northbound lanes.

#166: View of the suspect's vehicle in relation to the patrol vehicles.

#167 - #168: Views of patrol vehicle 6893⁶.

#169 - #170: Views of patrol vehicle 6874⁶.

#171 - #178: Views of patrol vehicle 6893⁶ in relation to the scene.

#179 - #184: Views of the interior of patrol vehicle 6893⁶ and the shotgun locked in the rack.

#185 - #202: Views of the exterior of the suspect's vehicle (Volkswagon Jetta with California license plate number "████████"), the contents of the trunk and the surrounding scene.

Photographs #203 through #230 were taken of the suspect's vehicle.

#203 - #204: Views of the broken rear driver-side window.

#205 - #209: Views of the interior of the vehicle.

#210: View of the open passenger-side doors.

#211 - #218: Views of the interior of the vehicle.

#219 - #225: Views of the broken rear passenger-side wing window.

#226 - #230: Views of the broken rear driver-side window and the shirt hanging inside.

#231 - #236: Views of the exterior of patrol vehicle 6893⁶ and the trunk contents.

#237 - #241: Views of the approximate locations of Officer Butera (pink flags) and the suspect (orange flags).

#242 - #248: Views of the line of sight from Officer Butera's approximated locations.

#249 - #253: Views of the line of sight from the suspect's approximated locations.

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- #254 - #262: Location views of the evidence items identified by placards 1 through 9.
- #263: View of the shot shell case (placard 1).
- #264: View of the shot shell case (placard 2).
- #265: View of the knife (placard 3).
- #266: View of the apparent blood (placard 4), from which a sample was collected.
- #267 - #268: Views of the sunglasses (placard 5).
- #269: View of the pill (placard 6).
- #270: View of the pill (placard 7).
- #271: View of the shot pellet (placard 8).
- #272: View of the lens cover (placard 9).
- #273 - #288: Views of the officer's shotgun and bandoleer, after they were removed from the patrol vehicle.
- #289 - #290: Location views of the evidence items identified by placards 10 and 11.
- #291 - #295: Views of the handgun (placard 10).
- #296: View of the shirt (placard 11).
- #297: View of the street after the suspect's vehicle was towed away.

Evidence

Placards 1 and 2 were collected from the street along the center median of the northbound lanes.

- 10233620:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 1) with headstamp "12 GA MADE IN USA."
- 10233621:** One "FEDERAL PREMIUM TACTICAL 9 00 BUCK" shot shell case (placard 2) with headstamp "12 GA MADE IN USA."

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Placards 3 through 5 were collected from the dirt embankment on the east side of the northbound lanes, east of the suspect's vehicle.

10233622: One "OSBORNE" black handled folding knife (placard 3). The knife was open when collected.

10233623: One swab of apparent blood (placard 4).

10233625: One pair of black and silver, dirty sunglasses (placard 5).

Placards 6 and 7 were collected from the street, underneath the driver door of the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233626: One white round pill (placard 6) inscribed with a scripted "R" and "35."

10233627: One white round pill (placard 7) inscribed with a scripted "R" and "35."

10233628: One shot pellet (placard 8). This item was collected from the ledge of the rear passenger-side window of the suspect's vehicle.

10233629: One black "AIMPOINT" lens cover (placard 9). This item was collected from the street in the southbound lanes, south of patrol vehicle 6893⁶.

Placards 10 and 11 were collected from inside the Volkswagen Jetta with California license plate number [REDACTED] (suspect's vehicle).

10233630: One "TWI DESERT EAGLE PISTOL 9mm" handgun (placard 10) with serial number [REDACTED]. This item was collected from inside the trunk, after a search was conducted.

10233631: One size "16 32-33 R" blue "theory" long sleeved, button up dress shirt (placard 11) with numerous holes. This item was collected from the hanger, hanging inside the rear driver-side window.

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Officer Involved Weapon

While at the scene, I collected the following item of evidence from the locked rack inside patrol vehicle 6893⁶.

One "BENELLI 12 GA" shotgun with serial number [REDACTED] and one bandoleer containing 18 shotgun cartridges.

Officer Processing

I arrived at the San Diego Police Department Crime Scene Unit Studio on June 1, 2013, at approximately 1520 hours to process Officer Richard Butera, ID #5876. Detective Chris Leahy, ID #5869, and Officer Marciniak, ID #5179, were present during processing. I took digital photographs #298 through #310, starting at approximately 1522 hours. No evidence was collected.

Photography

#298 - #310: Views of the front, left, back and right sides of the officer.

Autopsy

I arrived at the San Diego County Medical Examiner's Office on June 2, 2013, at approximately 0910 hours to attend the autopsy of suspect Giacomo Cargnoni (ME #13-1284). Detective Chris Leahy, ID #5869, and Detective Gary Gonzales, ID #5328, met me at this location. I took digital photographs #311 through #501, starting at approximately 0938 hours. I collected and/or received items of evidence starting at approximately 0956 hours.

Photography

#311: View of the red lock and nametag on the suspect's body bag.

#312 - #313: Views of the suspect's body bag.

#314 - #316: Views of the suspect before the head, hand and foot bags were removed.

#317 - #319: Views of the suspect before the medical paraphernalia was removed.

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Photographs #320 through #386 were taken of the suspect in an unclothed and unwashed condition.

#320 - #323: Views of the suspect's hands.

#324 - #337: Views of the left, right and front sides of the suspect.

#338 - #343: Views of the apparent wounds on the suspect's left leg.

#344 - #347: Views of the apparent wounds on the suspect's left arm.

#348 - #359: Views of the apparent wounds on the suspect's torso.

#360 - #367: Views of the apparent wounds on the suspect's face.

#368 - #370: Views of the bump on the suspect's right arm (apparent shot pellet under the skin).

#371 - #374: Views of the apparent wounds on the suspect's right leg.

#375 - #377: Views of the apparent wounds on the suspect's right arm.

#378 - #382: Views of the back side of the suspect.

#383 - #386: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.

Photographs #387 through #485 were taken of the suspect in an unclothed and washed condition.

#387 - #401: Views of the left, right and front sides of the suspect.

#402 - #405: Views of the suspect's hands.

#406 - #412: Views of the apparent wounds on the suspect's right leg.

#413 - #420: Views of the apparent wounds on the suspect's right hand and arm.

#421 - #424: Views of the apparent wounds on suspect's right hip and side.

#425 - #435: Views of the apparent wounds on the suspect's torso.

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- #436 - #437: Views of the apparent wounds on the suspect's right shoulder.
- #438 - #450: Views of the apparent wounds on the suspect's neck and face.
- #451 - #460: Views of the apparent wounds on the suspect's left shoulder and arm.
- #461 - #462: Views of the apparent wounds on the suspect's left side.
- #463 - #471: Views of the apparent wounds on the suspect's left leg.
- #472 - #475: Views of the back side of the suspect.
- #476 - #485: Views of the apparent wounds and bump (apparent shot pellet under the skin) on the suspect's back.
- #486 - #494: Views of the shot pellets removed from the suspect's back.
- #495 - #497: Views of the shot pellet removed from the suspect's right arm.
- #498 - #500: Views of the shot pellet removed from the suspect's anterior epicardial.
- #501: View of the shot pellet removed from the suspect's posterior aorta.

Evidence

- 10233632:** One paper bag from the suspect's head.
- 10233634:** One paper bag from the suspect's right hand.
- 10233635:** One paper bag from the suspect's left hand.
- 10233636:** One paper bag from the suspect's right foot.
- 10233637:** One paper bag from the suspect's left foot.
- 10233638:** One pair of size "L" black and yellow "Nike Therma-Fit" dirty athletic pants with medical intervention cuts.
- 10233639:** One pair of size "M" white and gray "EXPRESS" boxer briefs with apparent bloodstains and medical intervention cuts.

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I received the following seven items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233640:** One manila envelope labeled "anterior epicardial," containing one shot pellet.
- 10233641:** One manila envelope labeled "posterior aorta," containing one shot pellet.
- 10233642:** One manila envelope labeled "L back, lower," containing one shot pellet.
- 10233644:** One manila envelope labeled "R back, mid," containing one shot pellet.
- 10233646:** One manila envelope labeled "L back, upper," containing one shot pellet.
- 10233647:** One manila envelope labeled "spinal cord," containing one shot pellet.
- 10233648:** One manila envelope labeled "R arm," containing one shot pellet.
- 10233649:** Reference mouth swabs.
- 10233653:** Fingernail scrapings from the right hand.
- 10233654:** Fingernail scrapings from the left hand.
- 10233655:** Plucked head hair.

I received the following three items of evidence from Forensic Autopsy Specialist Fabian King.

- 10233656:** One rib bone sample.
- 10233658:** One vial of blood.
- 10233660:** One set of inked finger and palm prints.
- 10233662:** One "Reference Bloodstain Card" from the suspect's blood (10233658), prepared in the Crime Scene Unit on June 2, 2013.

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Vehicle Processing

I arrived at the San Diego Police Department Aero Drive Impound Garage on June 3, 2013, at approximately 0830 hours to process the gray Volkswagon Jetta with California license plate number [REDACTED]. Detective Chris Leahy, ID #5869, met me at this location. I took digital photographs #502 through #557, starting at approximately 0841 hours. I collected items of evidence starting at approximately 0900 hours. All items of evidence were collected after a search was conducted.

Photography

- #502 - #506: Views of the exterior of the vehicle before the paper was removed from the broken windows.
- #507 - #514: Views of the exterior of the vehicle after the paper was removed from the broken windows.
- #515 - #531: Views of the interior of the vehicle and the trunk contents.
- #532 - #534: Location views of the evidence items identified by placards 12 and 13.
- #535: View of the pills (placard 12).
- #536: View of the prescription bottle (placard 13) containing miscellaneous pills.
- #537: Location view of the evidence item identified by placard 14.
- #538: View of the prescription bottle (placard 14) containing apparent marijuana.
- #539 - #540: Views of the suspect's wallet and Driver License.
- #541 - #543: Location views of evidence items identified by placards 15 through 18.
- #544 - #545: Views of the iPad and contents of the bag (placard 15).
- #546 - #549: Views of the holster (placard 16) [including a miscellaneous image]
- #550: View of the shotgun wad (placard 17).
- #551 - #552: Views of the box containing apparent marijuana (placard 18).

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#553 - #556: Views of the apparent strike mark labeled "A."

#557: View of the Vehicle Identification Number (VIN).

Evidence

10233666: Six loose white round pills (placard 12) inscribed with a scripted "R" and "35." This item was collected from the driver seat.

10233668: One open (no lid) prescription bottle (placard 13) containing twenty-eight oblong white capsules stamped with a scripted "R" "077" and one white round pill inscribed with a scripted "R" and "35." This item was collected from the front passenger-side seat.

10233673: One green prescription bottle (part of placard 14) containing apparent marijuana. The label is hand printed with "5g Green Crack." This item was collected from the center console.

10233674: Several loose, apparent marijuana leaves (part of placard 14). This item was collected from the center console.

10233676: One green "TUMI" case containing an "iPad" (part of placard 15). This item was collected from the front passenger-side seat.

10233679: This item (part of placard 15) consists of the following:

- One baggie of apparent marijuana
- One black drawstring bag containing one glass pipe

This item was collected from inside the bag on the front passenger-side seat.

10233681: Two bottles of liquid "Lidocaine 1%" (part of placard 15). This item was collected from inside the bag on the front passenger-side seat.

10233684: One black "Pro Tech Outdoors" holster (placard 16). This item was collected from the rear pocket of the front passenger seat.

10233686: One plastic shotgun wad (placard 17). This item was collected from the rear driver-side floorboard.

10233687: One "Red Hook" box (placard 18) containing loose apparent marijuana. This item was collected from the trunk.

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Crime Scene Unit Report 1
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Discs

- 10233688:** One "Master" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233689:** One "Working Copy" DVD containing digital images #1 through #310 (scene and officer processing).
- 10233690:** One "Master" DVD containing digital images #311 through #557 (autopsy and vehicle processing).
- 10233691:** One "Working Copy" DVD containing digital images #311 through #557 (autopsy and vehicle processing).

DISPOSITION OF EVIDENCE

Each item of evidence was assigned a unique barcode and will be impounded under *Incident #13060000530*. Items will be impounded in the *Headquarters Property Room*, with the following exceptions:

The "Master" and "Working Copy" discs will be impounded in the *Laboratory* files. Additional copies of the "Working Copy" discs were released to Detective Leahy, Homicide Unit.

Officer Butera's shotgun and bandoleer were released to Sergeant Manny Del Toro, Homicide Unit.



Jennifer C. Sanders, ID #8393
Crime Scene Specialist
June 10, 2013

jcs

Technical Review: Kmw #8245 Date: 06.10.2013

Administrative Review: 923 8791 Date: 6-10-2013

CRIME SCENE UNIT

CSUR 1

STATISTICAL INFORMATION RECORD

Charge: O.I.S./Special Inv. Case #: 13-021594
 Inv. Unit: Homicide Team 5 Sergeant: M. Del Toro
 Detective: C. Leahy Incident Date: 6.1.13
 Scene: 100 Sea World Dr. Crime Scene Spec.: J. Sanders
 Criminalist: E. Lachimia Date/Time Called: 6.1.13 / 0955
 Incident #: 13060000530 Supervising Crime Scene Spec. J. Berner

Location	Arrival Date & Time	Photography Date & Time	Collection Date & Time
<u>100 Sea World Dr.</u>	<u>6.1.13 1030</u>	<u>6.1.13 1152</u>	<u>6.1.13 1345</u>
<u>CSU Studio</u>	<u>6.1.13 1520</u>	<u>6.1.13 1522</u>	<u>NONE</u>
<u>ME's office</u>	<u>6.2.13 6.1.13 0910</u>	<u>6.2.13 0938</u>	<u>6.2.13 0956</u>
<u>Aero garage</u>	<u>6.3.13 0830</u>	<u>6.3.13 0841</u>	<u>6.3.13 0900</u>

Victim Suspect

Victim Suspect

Victim Suspect

Name: SDPD Officer R. Butera Giacomo Cagnoni
 M.E. #: 13-1284

P.2

JCS 8393
6.5.13
13.021594
CSUR 1

P.2

JCS 8393
6.1.13

CSUR 1

C: 0955

L: 100 Sea World Dr

A: 1030

P: 1152

C: 1345

D: 1445

* 13.021594

13060000530

13.021570 (417)

beat 123

Hom. Team 5

Def. Leahy #5869

Sup CSS Berner #8791

Crim. Lachumia #8757

0912 hrs - comm call as 417 = gun
at [REDACTED]

0918 officers on scene

1st Dan Carpenter #5429

2nd Jeff Martinez #5668

3rd Bradford Green #6820

4th ^{or} Rick Butera #5876
Rich

Kellington #6384

Borelli #4584

P3

JCS 8393

6.5.13

13.021594

CSUR 1

P-3

JCS 8393

6.1.13

13.021594

CSUR 1

E. Tagaban # 5794

(v) 417 [REDACTED] - transported to UCSD
→

(s) Cargoni James Giacomo

10.9.91

11-44 at hosp.

GSW to torso

(s) 417'd (v) fled in vehicle

[REDACTED] gray Volkswagen Jetta

Officer's conducted hot stop

100 Sea World Dr.

(s) got out of vehicle - went to
passenger side - opened door -
went to trunk -

had something in hands and
simulated shooting at officers

P4

JCS 8393
6.5.13
13.021594
CJUR 1

P4

JCS 8393
6.1.13
13.021594
CJUR 1

Off. Butera fired shotgun once
more commands, (s) got up
Officer shot again

Officer walk thru 1310 hrs
(Butera)

I taped butcher paper to the
two broken windows for transport
to Aero (suspect vehicle)

P.5

JCS 8393
6.5.13
13.021594
CSUR1

P.5

JCS 8393
6.1.13
13.021594
CSUR1

L: CSU Studio

A: 1520

P: 1522

C: None

D: 1525

Officer Processing js

Officer ~~Rick~~ Butera #5876
Richard

Det. Chris Leahy

Off. Marciniak #5179

photos only

p.6

TCS8393

6.5.13

13.021594

CSUR1

p.6

TCS8393

6.2.13

13.021594

CSUR1

L: ME's Office

A: 0910

P: 0938

C: 0956

D: 1600

(s) Giacomo Cargoni
ME#13.1284

Det. Chris Leahy

Det. Gary Gonzales

Dr. Morhaimie

Asst: King



JCS 8393
6.5.13
13-021594
CSUR1

County of San Diego

GLENN N. WAGNER, D. O.
CHIEF MEDICAL EXAMINER

OFFICE OF THE MEDICAL EXAMINER

5570 OVERLAND AVE., STE 101, SAN DIEGO, CALIFORNIA 92123-1206
TEL: (858) 694-2895 FAX (858) 495-5956
MS: 010

EVIDENCE TRANSFER FORM

NAME OF DECEDENT: CARGNONI, GIACOMO ME# 13-1284

PATHOLOGIST: MORTHAIME

INVESTIGATING AGENCY: S.D.P.D. #5

<input checked="" type="checkbox"/>	BODY BAG	<input type="checkbox"/>	OTHER (See REMARKS)
<input checked="" type="checkbox"/>	BAGS REMOVED FROM HEAD	<input type="checkbox"/>	ANAL SWABS
<input checked="" type="checkbox"/>	BAGS REMOVED FROM HANDS	<input checked="" type="checkbox"/>	ORAL SWABS
<input checked="" type="checkbox"/>	BAGS REMOVED FROM FEET	<input type="checkbox"/>	URETHRA SWABS
<input checked="" type="checkbox"/>	HEAD HAIR SAMPLE	<input type="checkbox"/>	VAGINAL SWABS
<input type="checkbox"/>	FACIAL HAIR SAMPLES	<input type="checkbox"/>	GUNSHOT RESIDUE SWABS
<input type="checkbox"/>	CHEST HAIR SAMPLES	<input checked="" type="checkbox"/>	FINGERPRINTS
<input type="checkbox"/>	PUBIC HAIR SAMPLE	<input checked="" type="checkbox"/>	PALM PRINTS
<input type="checkbox"/>	PUBIC HAIR COMBING	<input checked="" type="checkbox"/>	MISSILES &/OR FRAGMENTS <u>keys</u>
<input checked="" type="checkbox"/>	BLOOD SAMPLE	<input type="checkbox"/>	FINGERNAIL CLIPPINGS <u>17</u>
		<input checked="" type="checkbox"/>	FINGERNAIL SCRAPINGS

CLOTHING: WHITE BRIEF UNDERWEAR, 1 BLACK SWEAT PANTS

JEWELRY: _____

BONES/TISSUE SPECIMEN: 1 KID SAMPLE

REMARKS: _____

RELEASED BY FABIAN KING SA  6/2/13
(Print Name) (Signature) (Date)

RECEIVED BY JENNIFER SANDERS SDPD  6.2.13
(Print Name/Agency) (Signature) (Date)



P.8

JCS8393
6.5.13
13.021594
(SLUR)

P.8

JCS8393
6.3.13
13.021594
(SLUR)

L: Aero garage

A: 0830

P: 0841

C: 0900

D: 1000

Det. Leahy

gray Volkswagon Jetta

CA [REDACTED]

vin: [REDACTED]

all items photographed and collected
during/after search

*correct spelling of suspect's name:

Giacomo James Cargnoni



San Diego Police Department
Forensic Science Section

JCS 8393
6-5-13
13-021594
CSLR 1



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INTERNAL CHAIN OF CUSTODY

Victim(s) Officer Richard Butera

Suspect(s) Giacomo Cargoni

Property Tag # <u>Inc# 13060000530</u> Case # <u>13-021594</u>	
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>LACTHIA</u> ID # <u>875</u> Items Received <u>officer shotgun + bandoleer</u> Purpose <u>PROCESS</u> Date <u>6-3-13 0920</u>
Released By: (Name/ID) <u>LACTHIA</u> <u>8757</u>	Received By <u>Sanders</u> ID # <u>8393</u> Items Received <u>shotgun + bandoleer</u> Purpose <u>return to officer</u> Date <u>6-4-13 @ 1040</u>
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>[REDACTED]</u> ID # <u>4754</u> Items Received <u>shotgun + bandoleer</u> Purpose <u>return to officer</u> Date <u>6-4-13</u>
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____



San Diego Police Department
Forensic Science Section



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**INTERNAL CHAIN OF
CUSTODY**

JCS 8393
6-10-13
13-021594
CSUR1

Victim(s) officer Butera

Suspect(s) Giacomo Carogni

Property Tag # <u>13060000530</u> Case # <u>13-021594</u>	
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>LACHMIA</u> ID # <u>8757</u> Items Received <u>handgun (placard 10)</u> <u>10233630</u> Purpose <u>unload</u> Date <u>6-10-13 1300hrs</u>
Released By: (Name/ID) <u>LACHMIA</u> <u>8757</u>	Received By <u>Sanders</u> ID # <u>8393</u> Items Received <u>Desert EAGLE PISTOL w/ MAGAZINE PC10233630</u> Purpose <u>impound</u> Date <u>6-10-13</u>
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION**

CRIME SCENE UNIT LABORATORY REPORT



VICTIM: BUTERA, SDPD Officer Richard
SUSPECT: CARGNONI, Giacomo
CHARGE: **Special Investigation (OIS)/245(a)(2) PC**
INCIDENT #: 13060000530
CASE #: **13-021594/13-021595**
HOMICIDE TEAM 5: Sergeant M. Del Toro/Detective C. Leahy
DATE OF INCIDENT: June 1, 2013 (Saturday)
SCENE LOCATION: 100 Sea World Drive
CRIME SCENE SPECIALIST: Jennifer C. Sanders
CRIMINALIST: Eugene LaChimia

CRIME SCENE UNIT REPORT 2

Evidence Processing

I received the evidence items listed below from the Headquarters Property Room on June 17, 2013. I processed these items on June 17, 2013, starting at approximately 1036 hours.

10233622: One "OSBORNE" black handled folding knife.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

Results:

10238967: One lift of developed prints was collected.

10238968: One swab of possible DNA evidence was collected from the blade of the knife, after fingerprint processing.

10238970: One swab of possible DNA evidence was collected from the handle of the knife, after fingerprint processing.

10233630: One "DESERT EAGLE 9mm" handgun with serial number [REDACTED] and one magazine.

Techniques: This item was processed using visual examination, cyanoacrylate ester fuming, black powder and swabbing.

100
100
100

CRIME SCENE UNIT
Crime Scene Unit Report 2
Incident #13060000530
Case #13-021594
June 18, 2013
Page 2 of 2

Results: No latent prints developed.
10238971: One swab of possible DNA evidence was collected from the textured areas of the handgun.
10238972: One swab of possible DNA evidence was collected from the entire surface of the handgun, after fingerprint processing.
10238973: One swab of possible DNA evidence was collected from the entire surface of the magazine, after fingerprint processing.

Latent Print Summary

10238967: One latent print card containing one lift of developed prints.

Discs


10238979: One "Master" DVD containing ten digital (note page) images.

10238980: One "Working Copy" DVD containing ten digital (note page) images.

DISPOSITION OF EVIDENCE

The processed evidence items and the resulting items, which were each assigned a unique barcode number, were impounded under **Incident #13060000530**. Items were impounded in the **Headquarters Property Room**, with the following exceptions:

The "Master" and "Working Copy" discs were impounded in the **Laboratory** files.


Jennifer C. Sanders
Crime Scene Specialist
June 18, 2013

jcs

Technical Review: KNW#8245 Date: 06.18.2013

Administrative Review: 923 8791 Date: 6.19.2013

JUN 11 2013

P. 1 of 7



JRB-P
FORENSIC SCIENCE
SECTION



San Diego Police
Department

LATENT PRINT
DEVELOPMENT

WORK REQUEST

CSUR 2
OFFICE USE ONLY

enddate: 6.17.13

Examiner's Initials: JCS

Examiner's ID #: 8393

T/R: KMW #18245
06.18.2013

Date of assignment: 6.13.13

of items processed: 3

Developed Latent
Prints: Yes ☒ No ☒

CASE PRIORITY

☐ Prelim Date: _____

☐ Trial Date: _____

Attorney Information
(Mandatory for Prelim or Trial)

DDA: _____

Phone: _____

Today's Date: June 10, 2013

Case and Incident #: #13-021594 // Inc. #13060000530

Charge: 245 P.C.

Additional Case and/or Incident #'s: #13-021595 // Inc. #13060000530

Series Related: Yes ☐ No ☐

Victim (s): BUTERA, Richard #5876

Suspect (s): CARGNONI, Giacomo DOB: 10/09/1991

Requesting Detective: Leahy ID # 5869

Requesting Detective's Division: Homicide Mail Station: 713

Phone #: [REDACTED]

Requesting Detective's E-Mail (Required): [REDACTED]

BARCODE NUMBER AND DESCRIPTION MUST BE LISTED BELOW
INCOMPLETE FORMS WILL BE RETURNED TO THE REQUESTER
ITEMS ANALYZED AND METHODS USED ARE AT THE DISCRETION OF THE LABORATORY

Crime Scenario (brief description of events, or circumstances leading to collection and processing):

During a traffic stop on a 245-gun vehicle, the suspect, CARGNONI, threatened officers and was shot and killed by police.

Barcode / PT #	Item #	Item Description	DNA Requested?	
10233622	3	Knife	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
10233630	10	Gun	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>

Evidence was/will be released to the Property Room/Narcotics Vault on/after: _____

Examiner:

Title: Crime Scene Specialist

Technical Review By: _____

Administrative Review By: _____

Date: _____

Date: _____

SAN DIEGO POLICE – CRIME SCENE UNIT - EVIDENCE PROCESSING REPORT

Start Date: 6.13.13

Incident: # 13060000530

End Date: 6.17.13

Case: # 13.021594

Examiner's Initials & ID: JCS 8393
CSUR 2

of items Processed: 3

Developed Latent Prints: Yes ☒ No ☐

This evidence was: ☒ Received from the Property Room/Narcotics Vault on: 6.17.13

This evidence was: ☐ Processed prior to impound.

Item (s) received sealed: Yes ☒ No ☐

Item (s) sealed by Property Room: Yes ☐ No ☒

1	Visual (A=ALS)
2	Liquid Glue
3	Vacuum Metal Deposition
4A	Ninhydrin (Acetone)
4H	Ninhydrin (Heptane)
5	Magnetic Powder
6	Coomasie Blue

7B	Sticky Side Powder (Black)
7W	Sticky Side Powder (White)
8	Black Powder
9	Cyanoacrylate Ester
10	Gentian Violet
11	Mikrosil
12	Photography

12A	Scans
13	Swab
14	Tape Lift (s)
15	Other Additional Items
16	Other

Qty. = Quantity of latent lifts, photographs/scans and/or additional items.

A No Visible Evidence

B Visible Evidence

C Undetermined
(Further Processing Needed)

D Not Applicable

CONTROL (s):

(+) ☒
Yes

(-) ☐
No

9
Technique (s)

Additional Notes:

Examiner's Initials & ID #: JCS B393
 Incident #: 13060000530
 Case #: 13.021594
 Date: 6.18.13
 Report Type: CSLR 2

Barcode	Date & Time	Description
10233622	6.17.13	OSBORNE black handled folding knife
Packaging	1036	
paper bag		

Technique, Sequence & Result												
1	9	8	14	13								
C	C	B	D	D								
Qty.			1	2								

Final Results	
1	Latent Print Cards
0	Photos / Scans Taken
2	Additional Items

Barcode	Date & Time	Description
10233630	6.17.13	Desert Eagle 9mm handgun
Packaging	1040	Serial # [REDACTED]
Paper bag		

Technique, Sequence & Result												
1	13	9	8	13								
C	D	C	A	D								
Qty.	1			1								

Final Results	
0	Latent Print Cards
0	Photos / Scans Taken
2	Additional Items

Barcode	Date & Time	Description
10233630	6.17.13	Magazine
Packaging	1040	
Paper bag		

Technique, Sequence & Result												
1	9	8	13									
C	C	A	D									
Qty.			1									

Final Results	
0	Latent Print Cards
0	Photos / Scans Taken
1	Additional Items

Additional Note:

P.4

JCS8393
6.18.13
13-021594
CUR2



13-021594

Inc #13060000530

10233622

JCS 8393



Img0012.JPG 2013/06/17 10:38:02.9

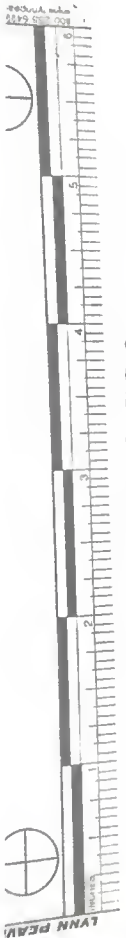


13-021594

Inc #13060000530

10233622

JCS 8393



Img0011.JPG 2013/06/17 10:37:53.1



13-021594

Inc #13060000530

10233622

JCS 8393



Img0014.JPG 2013/06/17 10:38:34.3



13-021594

Inc #13060000530

10233622

JCS 8393



Img0013.JPG 2013/06/17 10:38:23.2

P.5

JCS8393
6.18.13
13.021594
CSUR 2



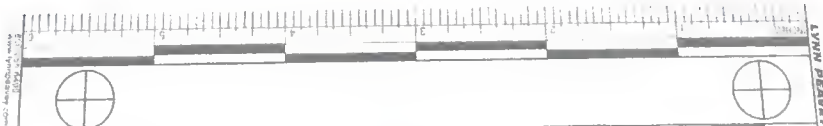
13-021594
Inc #13060000530
10233630
JCS 8393



Img0015.JPG 2013/06/17 10:40:51.6

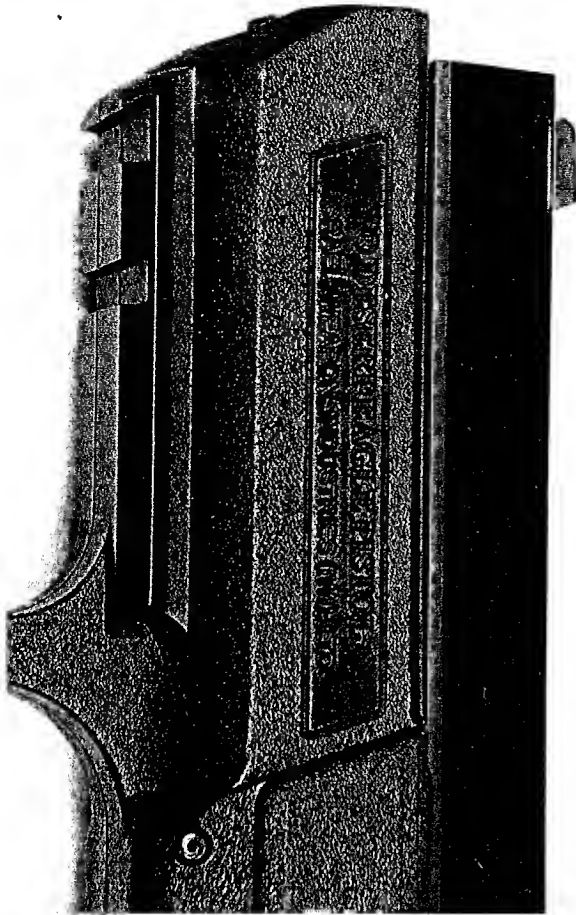


13-021594
Inc #13060000530
10233630
JCS 8393

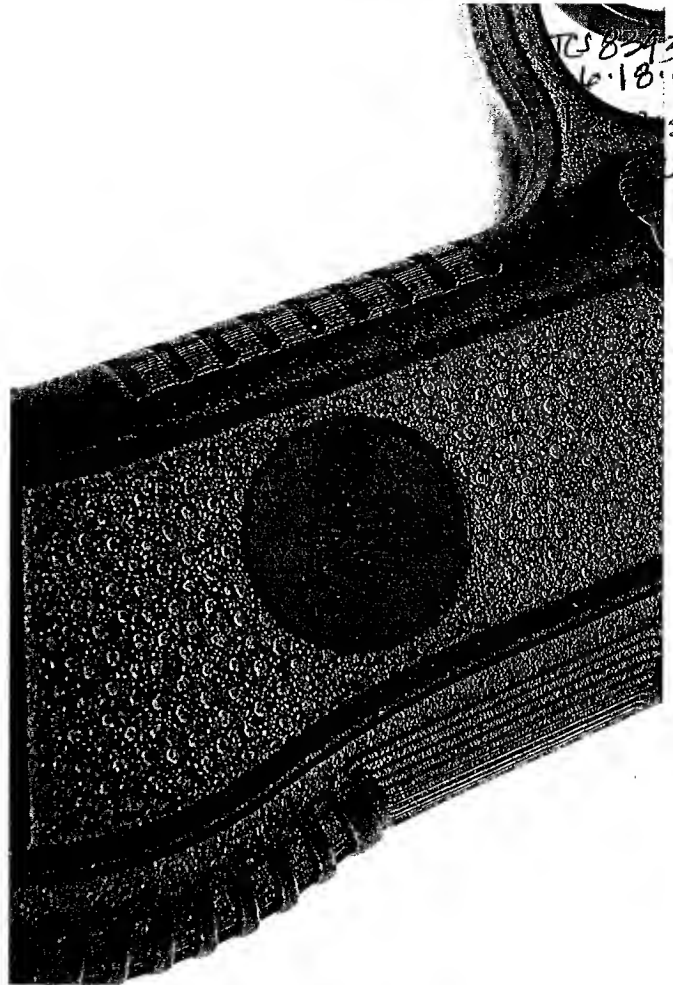


Img0018.JPG 2013/06/17 10:41:30.0

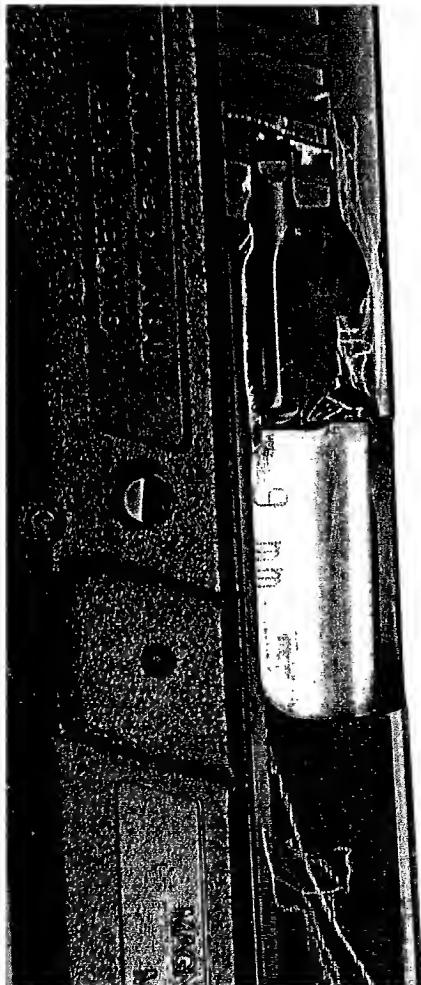
P.6



Img0016.JPG 2013/06/17 10:41:04.8



Img0017.JPG 2013/06/17 10:41:12.5



Img0019.JPG 2013/06/17 10:41:44



Img0020.JPG 2013/06/17 10:42:09.2

P.7

JCS 8393
6.18.13
13.021594
CURZ

Latent Print Card

BEAT La6

Case # 13.021594

Crime Type 245

Name of Victim Richard Butera

Lifted by Sanders

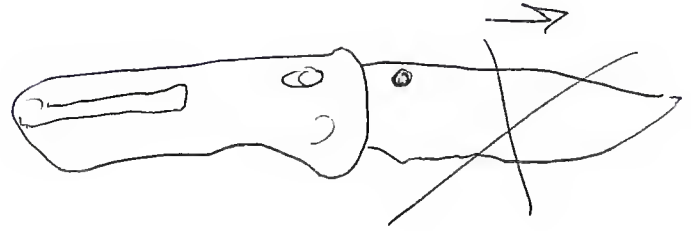
I.D. # 8393

Date 6.17.13

Time 1453

Location of Latents Side of blade
of knife (10233622)

Address _____



This is # 1 of 1 cards.



SAN DIEGO POLICE DEPARTMENT
FORENSIC SCIENCE SECTION-FIREARMS UNIT



UNLOADED FIREARMS REPORT

Barcode #: 10233630 Case #: 13-021594 Inc.# 13060000530
Charge: O.I.S. Special Investigation Investigative Unit: Hom. Tm5 Det. Leahy
Analyst: EJL 8757 Date: June 11, 2013
Evidence Reception: CSU gun locker on June 10, 2013

WEAPON SUBMITTED

X Pistol (auto loading) ☐ Shotgun
☐ Revolver ☐ Other: _____
☐ Rifle

Make: IWI Model: Desert Eagle
Serial Number: [REDACTED] Caliber: 9mm

CONDITION OF RECEIVED WEAPON

HAMMER:	X Uncocked	<input type="checkbox"/> Cocked
STRIKER:NA	<input type="checkbox"/> Uncocked	<input type="checkbox"/> Cocked
CHAMBER:	X Loaded	<input type="checkbox"/> Empty
CYLINDER:NA	<input type="checkbox"/> Open	<input type="checkbox"/> Close
SAFETY:	X "On" Position	<input type="checkbox"/> "Off" Position
SLIDE:	<input type="checkbox"/> Closed (In Battery)	X Open (Slightly Out of Battery)
MAGAZINE:	X Seated (In Place)	<input type="checkbox"/> Unseated (Out of Place)

Chamber/cylinder Contents: One brass "WIN 9mm LUGER" cartridge
Magazine Contents: Eight brass "WIN 9mm LUGER" cartridges

ADDITIONAL COMMENTS The pistol was received with the safety on, the hammer down and the slide slightly back. There was one cartridge in the chamber and eight cartridges in the inserted magazine. The pistol was unloaded but not further manipulated.
A Firearms Processing Packet containing the chamber and magazine contents was created and given barcode 10236178.

EVIDENCE DISPOSITION The pistol and magazine were released to Crime Scene Specialist Jennifer Sanders on June 10, 2013. The Firearms Processing Packet, barcode 10236178, was released to the Property Room on June 11, 2013.

Analyst: Eugene J. LaChimia ID #: 8757

Title: Criminalist Date: June 11, 2013

Tech review: [REDACTED] 8512 12 June 13

Admin review: [REDACTED] 6-12-13

Tech review
#W8512 12 June 13

Q/Z 6-10-13

1/88 Q/Z
13-021594 under 10
13060000530 Q/Z
Q/Z 8757 6/14/13
6-10-13

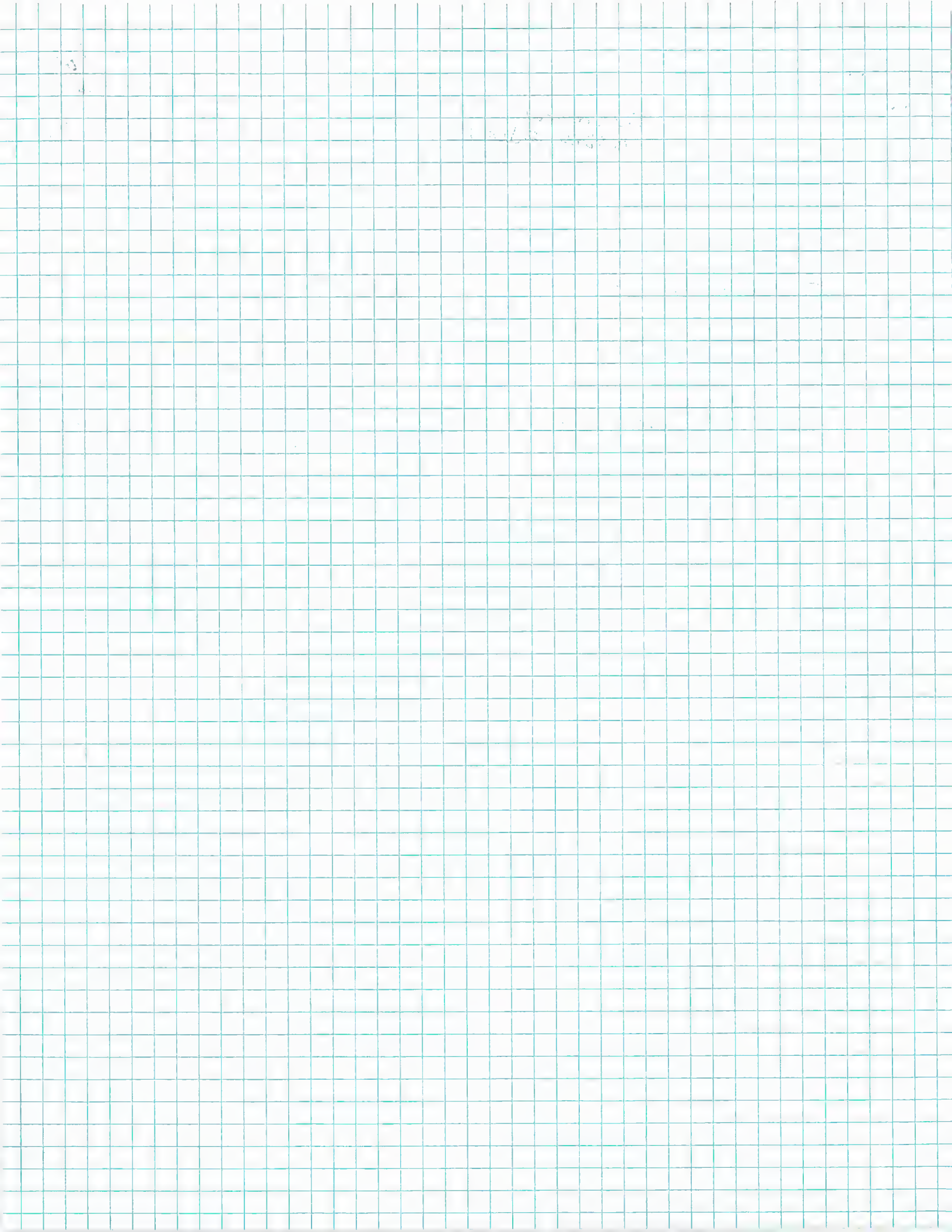
BC 10233630, inventory #10: unsl paper bag to my self from CSS gunlocker
Q/Z 6-10-13

→ above returned to CSS J. Sanders Q/Z 6-10-13

paper bag w/ pistol SEE worksheet

~~minimal~~ Q/Z

minimal handling w/ gloves - worksheet not completely filled out



**SAN DIEGO POLICE DEPARTMENT
FORENSIC SCENE SECTION - FIREARMS UNIT
FIREARMS WORKSHEET**

2/8
13060000530
uncord
Q2
6-11-13

INC Item #: 13060000530 Case # 13-021594 Property Tag #: 10233630
Q2 #10
Analyst: JK 28757 Date: 6-10-13 Page: of

DESCRIPTION OF RECEIVED FIREARM

SLIDE: <u>slightly back-out of battery</u>		Type: <u>Semauto pistol</u>
CHAMBER: <u>1 brass "WIN 9mm LUGER" FMJ cartridge</u> <u>brass primer</u>		Make: <u>IWI</u>
MANUAL SAFETY: <u>ON</u>		Model: <u>Desert Eagle</u>
MAGAZINE: <u>INSERTED</u>		Caliber: <u>9mm</u>
HAMMER: <u>down</u>		Serial Number: <u>[REDACTED]</u>
Type of Finish: <u>blued/black</u>	Stocks/Grips: <u>"IWI" black plastic</u>	Location: <u>bottom trigger guard</u>
Condition of Bore: <u>not checked</u>	Odor of Bore: <u> </u>	Barrel Swabbing: <u>not done</u>
Overall Length: <u>not checked</u>	Barrel Length: <u> </u>	Number of Lands: <u>not checked</u>
Magazine Submitted: <u>(1)</u>	Magazine Contents: <u>3 "WIN 9mm LUGER" cartridges - FMJ</u> <u>brass case, primer</u>	Twist: <u>not checked</u>
Magazine Capacity: <u>not checked</u>	Ejection Pattern: <u>not tested</u>	Operating Condition: <u>not tested</u>
Overall Condition of Gun: <u>GOOD - some scratches - right side of slide</u>		

FIRING MECHANISM:

- ☒ Hammer
☐ Striker
☐ Other
☒ Double Action
☐ Single Action

TYPE OF SAFETY PRESENT: -as designed

- ☒ Disconnector -not checked ☐ Grip
☐ Manual ☐ Locked Firing Pin -not checked
☒ Manual/Decocker -not checked ☐ Magazine
☐ Decocker ☐ Other:

TRIGGER PULL: Single Action: not tested Double Action: not tested

TESTFIRES: not done

Date: By: Type: Number:
Date: By: Type: Number:

COMMENTS: (Halos, Blood, Other Trace Evidence, Unusual Marks, Chain of Custody, Etc.)

RIGHT
right side frame: WARNING: READ MANUAL BEFORE OPERATING MAGNUM RESEARCH MADE IN ISRAEL H3
left side frame: DESERT EAGLE PISTOL MPLS IN USA
ISRAEL WEAPON INDUSTRIES (IWI) LTD

3
13021594
unload
8/2
6-1673



1 13-021594 unload.JPG

2 13-021594 unload.JPG



3 13-021594 unload.JPG

4 13-021594 unload.JPG

4
(30)1584
E/P
4.13

5 13-021594 unload.JPG

6 13-021594 unload.JPG

7 13-021594 unload.JPG

8 13-021594 unload.JPG

5
13021594
UNLOAD
202

9 13-021594 unload.JPG

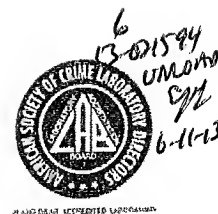
10 13-021594 unload.JPG

11 13-021594 unload.JPG

12 13-021594 unload.JPG



San Diego Police Department
Forensic Science Section



Page _____

**INTERNAL CHAIN OF
CUSTODY**

Victim(s) officer Butera

Suspect(s) Giacomo Cargnoni

Property Tag # <u>13060000530</u> Case # <u>13-021594</u>		
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By <u>L. ACHIMIA</u> ID # <u>8757</u> Items Received <u>Handgun (Placard 10)</u> <u>10233630</u> Purpose <u>unload</u> Date <u>6-10-13</u> <u>1300hrs</u>	
Released By: (Name/ID) <u>L. ACHIMIA</u> <u>8757</u>	Received By <u>Sanders</u> ID # <u>8393</u> Items Received <u>Desert EAGLE PISTOL w/ MAGAZINE</u> <u>BC10233630</u> Purpose <u>impound</u> Date <u>6-10-13</u>	
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____	
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____	
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____	
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____	

PD482

Distribution:

Copy as needed, original to case file

in
gun
locker


in
CSU

SAN DIEGO POLICE DEPARTMENT
Property Report

Incident Number: **13060000530**

Case Number: **13-021594**

7
13-021594
UNMON
8/7
6-11-13

BarCode	Item #	Item Type	Description
 10236178	59	LABORATORY EVIDENCE	

FA Proc Pkt for Desert Eagle #10:chamber,mag contents

Suspect: **CARGNONI, Giacomo** DOB:

Recovered By: **LACHIMIA, EUGENE 8757**

Date Recovered: **06/11/2013**

Recovery Address / Location: **Crime Lab Firearms**

Impounded By: **Lachimia, Eugene** 6/11/13 11:58

**SAN DIEGO POLICE DEPARTMENT
CHAIN OF CUSTODY**

8/8
13-021594
unmarked
E/P
6-11-13

INCIDENT #: **13060000530** ITEM #: **59** CASE #: **13-021594**
RECOVERED BY: **LACHIMIA, EUGENE - 8757** RECOVERY DATE: **06/11/2013**
RECOVERY ADDRESS: **Crime Lab**
RECOVERY LOCATION: **Firearms**
TRANSPORTED BY: **-** TRANSPORT DATE:



10236178

LABORATORY EVIDENCE

FA Proc Pkt for Desert Eagle #10:chamber,mag contents

<i>Date/Time</i>	<i>Logged in User</i>	<i>Item moved to this Location</i>
6/11/2013 11:58:42AM	Lachimia, Eugene	Collected Property
6/11/2013 1:24:46PM	Grabbe, Jennifer	RECEIVED HEADQUARTERS
Other - New		
		Lachimia 8757
6/11/2013 1:25:17PM	Grabbe, Jennifer	HQ Processing Shelf

End Chain of Custody for Item with barcode #: **10236178** related to Case # **13-021594**

NOTES:



San Diego Police Department
Forensic Science Section



Page _____

**INTERNAL CHAIN OF
CUSTODY**

~~015~~
suspect's gun
from 015

Victim(s) officer Butera

Suspect(s) Giacomo Carogni

Property Tag # <u>13060000530</u> Case # <u>13-021594</u>	
Released By: (Name/ID) <u>Sanders</u> <u>8393</u>	Received By _____ ID # _____ Items Received <u>handgun (placard 10)</u> <u>10233630</u> Purpose <u>unload</u> Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____
Released By: (Name/ID)	Received By _____ ID # _____ Items Received _____ Purpose _____ Date _____

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED: **GREEN, Bradford “Brad”**
SDPD Officer, ID# 6820
Western Division
1st Watch 0600-1600
[REDACTED]

WITNESS STATEMENT:

On June 1, 2013, at about 0945 hours, I received a call from Sergeant Manny DEL TORO #4754. Sgt. DEL TORO directed me to respond to the area of Sea World Drive and West Mission Bay Drive to assist in an officer involved shooting incident.

I arrived on scene at about 1020 hours. At 1100 hours, I attended a briefing conducted by Acting Sergeant Esmeralda TAGABAN #5794. The briefing concluded at 1120 hours.

At the conclusion of the briefing I was assigned to assist Detective Chris LEAHY #5869 with the scene investigation. After I concluded my time with Detective LEAHY I went to Western Division to assist with witness officer interviews.

At approximately 1410 hours, I met with Officer Bradford GREEN #6820 in a private office. Officer GREEN essentially told me the following:

I was 614 B today, an Ocean Beach unit. I was on a field interview and a call came out for a 417 PC (threat with a weapon) involving a gun. So I dropped my contact and I started heading over to the area. I was at 3800 Rosecrans when the call came out. I took Pacific Highway and Sea World Drive; it's kind of a quick way to get into Ocean Beach from where I was. Anyways, so as I was going there, 1700 Sunset Cliffs, I don't remember the exact address.

The last thing that I heard on the radio was that the suspect had fled the scene in a gray colored Volkswagen. That was all of the detail that I had. I kind of figured the suspect would not go south, because you don't end up anywhere but Point Loma if you go south. I figured he would go north if he was trying to get out of there. I took Pacific Highway to Sea World thinking I could head him off. Most people head toward the 8 freeway; the

easiest way out. I was on Sea World Drive and Officer Dan CARPENTER put out that he had a possible suspect in the car by Dusty Rhodes Park; which is 2500 Sunset Cliffs. It is also actually before the last light to get onto the 8 east. So I figured he is either going to take the 8 east or Sea World Drive. As I was coming over the bridge on Sea World Drive I saw three police cars with their lights on behind the grey Volkswagen. They were putting out that they were going to try and stop him. I flipped a u-turn and I was the fourth car.

It was Dan CARPENTER, number one; Mike KELLINGTON was number 2; Jeff MARTINEZ was number 3; and then I pulled up and was number four. We were going north on Sea World Drive, over the bridge and leaving Ocean Beach.

As I made my u-turn to catch up to them, Dan put out over the radio that the suspect was yielding. He pulled over, right where the car is right now. So, Dan started the hot stop and Mike KELLINGTON went to the right side with the shotgun. Jeff was behind the car. I went behind the car and since ABLE (police helicopter) was not up, I called it.

I was behind Dan CARPENTER on the driver's side of the car. Mike KELLINGTON was up at the passenger side of the car, up front. Jeff MARTINEZ was behind him. We were all kind of giving him commands. I was putting stuff out on the radio because ABLE was not up to call it. I was in the best spot to kind of see everything.

So from what I remember he threw the keys. I don't remember if he threw the keys out the window first or if he opened the door to get out. Dan CARPENTER was giving him verbal commands to get out of the car and to keep his hands in the air. He opened the car door. I think at that point, the keys fell on the ground or something.

So he starts getting out of the car. He's kind of doing what Dan is telling him to do. Like, 'Keep your hands up' and his hands go up. Dan told him to turn around so we could check to see if he had any weapons. He does a turn and then kind of starts walking. Dan starts directing him towards us. Dan told him to face away, turn his back to us and then walk backwards. He wasn't listening. He was walking forward; towards us. We were like, 'Hey, hey stop, turn around'. So he was semi-compliant. Initially, I put out on the radio that he was being compliant. His compliance lasted about ten seconds. You could see in his eyes he wasn't quite all there. His eyes were wide open and he looked kind of nuts.

We were bringing him back. I remember telling Dan I was behind him and we would cuff him up and then take him back to Mike's car, which was right behind us. So that was the plan and Dan was calling him back. He looked like he was going to go with the program and then he started doing this thing where he would go like that at us (demonstrated holding his palms together as if pointing a gun) but there was nothing in his hands.

He would do that like he was going for something in his waistband but there was obviously nothing there because he was wearing pants and no shirt. Black pants and no shirt, they (pants) were thinner. I didn't see anything coming out of the waistband.

I was thinking the guy is trying to "F" with us, for some reason he's playing around. He keeps doing that movement like he was taking a shooting stance with both of his hands together. It was almost like if you would stereotypically say, 'What should I do to get shot by a police officer?' I would say make a movement toward your waist and then put your hands out, like it was stereotypical out of a movie.

He kept doing that. He did it several times. It was obvious every time he did it there was nothing in his hands and I wasn't worried he would be able to get something, I didn't see anything.

(At this point what part of the car is he next to?) He was toward the rear of his car, maybe a couple of feet from the car towards us. He had started moving toward us and then stopped going with the program. He was kind of in that no man's land where we are not going out to get him and he is not going to come to us. Like I said, he does that thing with his hands a bunch of times. Then he, from what I remember, he pops his trunk open and starts throwing things out of the trunk. So he starts throwing like clothes out and stuff. He was kind of rummaging around in there and his hands would disappear into the trunk. Every time he pulls them (hands) out, I'm ready, but there was nothing in his hands.

(What do you mean you're ready?) Honestly if he had pulled out an object I probably would have shot him right there. I didn't have the best view point because I was behind Dan CARPENTER.

(What kind of call were you on again?) The call had come out that he had threatened someone with a gun. So I was worried he was going for some kind of weapon or gun, whatever he had in his trunk. That's what I was thinking. I didn't have the best angle to shoot him because Dan CARPENTER was right in front of me. If I had to, I would have taken a shot.

(Are you guys still giving commands?) Yes, we are clearly yelling; 'You keep doing that and you are going to get shot'; 'If you pull anything out of your trunk you are going to get shot'. I remember telling him, 'I will shoot you if you pull something out of your trunk'. He was frantically doing it, like really fast. His hands would break the plane of the trunk to where I would not see then and then he would pull them out again. There would be nothing in his hands, but he would do the shooting motion again. He was facing us. I was thinking this is getting a little hairy. I don't know if this guy has a gun or doesn't. I didn't know what was going on with this guy but obviously he was high or something. You could just see it in his eyes. We continued to yell at him. At some point he makes his way back into the car which I think is horrible that he was allowed to go back into the car. I kind of kick myself for that.

He dives back into the car from the passenger side. The trunk was open and there was a gap between the trunk and the car, I could see him through the window. I could see stuff flying around in there. I remember telling Dan that if we didn't have a good shot we may want to back up a little bit in case he started popping off rounds. He could see us better

Investigator's Report

Witness: GREEN, Bradford

Case #13-021594 and #13-021595

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than we could see him. All we would have to shoot him with was through the gap. He had us in his whole field of view.

He was just tossing stuff. The only thing I am thinking is he is looking for his gun. He couldn't find it in the trunk and now he is in his car looking for his gun and he is going to come out shooting. He was doing that and then he stepped back out. I didn't see anything in his hands but he started doing the shooting motion again. At one point, he actually took a knee behind the car door. It was almost like he was mimicking what we were doing, Dan and Mike were taking a knee behind the car. So he takes a knee and he does the shooting stance thing again from behind the car door. There was nothing in his hands at that point, I couldn't see anything.

(Do you know which door on the passenger's side he was behind?) I can't remember which door; just that he was on the passenger's side. We were yelling at him again, 'get down'. At this point I just want to prone him out on the ground so that we are done, try and delay it until like maybe a canine unit could let the dog loose on him.

Oh I forgot to tell you, when he was digging around, I put out that he was back in his car possibly looking for a gun. I put that out. From what I remember he goes back into the car again and then he gets out again and that is when he is shot. He was shot on the dirt, on the passenger side of the car.

(Were you aware at that time who shot him?) I was aware where the shot came from, but I did not know who the officers was. Yes, I was aware there was an officer on the northwest side, stopped along the other side of traffic. So I knew someone was there, I just didn't know who it was. So he steps away from the car, he was shot like in the stomach. He kind of starts to go down and but then he gets up again. Then he is shot a second time and goes down.

(How did he start to go down?) From what I remember, he kind of took a knee, kind of kneeling down. Then he made another movement and he was shot again.

(Was he standing at the time he was hit with the second shot?) I think he was moving to stand up. Initially he was shot, crouched down a little bit and looked like he was going to take a knee and then he stood up again. Then I heard a second shot.

(At that time did you see anything in his hands?) No I don't remember seeing anything in his hands at that point. So anyways, he's down on the ground and I used to me a medic before this. I went up and I cuffed him up. There was a knife on the ground next to him. We flipped him on his back and he had a sucking chest wound. He had agonal respirations. It's the last breaths you take.

Yeah, me and Officer Ricky RADASA began CPR, tried to patch up his chest wound but all we had was a t-shirt. You kind of need plastic to solve that problem.

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(Did he ever say anything to you?) I don't remember him saying anything. I remember yelling at him, 'Stop or you will be shot'. We all were. Dan initiated the hot stop and was on the driver's side giving most of the commands. When it started to turn south we all kind of started yelling for him to stop.

(Working in Ocean Beach, were you familiar with this guy at all?) No.

At this point I drew a diagram depicting the suspect vehicle and the first patrol vehicle. I asked Officer GREEN to name the other officers and their position and I placed the information on the diagram. I also asked Officer GREEN to identify the approximate location of the shooting officer which he did and I marked the location with an "X".

I asked Officer GREEN if he knew when the shooting officer arrived and he said he did not, but became aware of him in his peripheral vision when the suspect started going to the back of the trunk and then back into the car

I concluded the interview at about 1428 hours. The interview was recorded in its' entirety. Refer to recording for complete details.

Reporting Detective: Jara BEARD

I.D. 4807

Homicide Team: V

Approved by:

1754

Date of this report: 06-04-13

Time: 1000

06/11/13

2

Suspect veh.

SHOOTING
OFFICER
X

Dan
Cargenter

Green

Mike
Kellington

Jeff
Matinez

OFFICER GREEN #6820

06-01-03

Send 4807

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): June 1, 2013 (Saturday)
TIME (occurrence): 0922 Hours
LOCATION: 100 Sea World Dr.
SUBJECT: Inc #13060000530
OIS/Special Investigation – SDPD Case #13-021594
Officer BUTERA, Richard ID #5876, P.O. II.
245(a)(2) PC, ADW (Gun) – SDPD Case #13-021595
Victim: Officer BUTERA, Richard ID #5876, P.O. II.
Suspect: CARGNONI, Giacomo James, W/M (21), DOB: 10-09-91

SUBJECT INTERVIEWED:



WITNESS STATEMENT:

On June 1, 2013, at about 0945 hours, I received a call from Sergeant Manny DELTORO, #4754. Sgt. DELTORO directed me to respond to the area of Sea World Drive and West Mission Bay Drive to assist in an officer involved shooting incident.

I arrived on scene at about 1020 hours. At 1100 hours, I attended a briefing conducted by Acting Sergeant Esmeralda TAGABAN, #5794. The briefing concluded at 1120 hours.

At the conclusion of the briefing I was assigned to assist Detective Chris LEAHY #5869 with the scene investigation. After I concluded my time with Detective LEAHY, I went to Western Division to assist with witness officer interviews. I later returned to the homicide office and was informed by Sgt. DELTORO that a friend of the suspect, [REDACTED] wanted to speak with a detective. Sgt. DELTORO spoke with [REDACTED] initially and she reported that CARGNONI had taken some of her prescription medication (Klonopin and Restoril). [REDACTED] told Sgt. DELTORO she was very upset over the incident and was in crisis. Sgt. DELTORO arranged to have an officer check her welfare as well as have a crisis intervention counselor meet with her.

On June 3, 2013, I called the witness and spoke with her briefly over the phone. I arranged to meet with [REDACTED] at her home the following day at 1400 hours. [REDACTED] indicated she was feeling better and was enroute to Los Angeles for work via the train.

On June 4, at approximately 1340 hours, I met with [REDACTED] who essentially told me the following:

I'm past the hysterical part. I think I am just numb now. Yea, I went to LA for business.
I'm a [REDACTED] I mostly do mostly [REDACTED] I was a

Investigator's Report

Witness: [REDACTED]

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[REDACTED] I was a [REDACTED]
Then I got in a really horrible accident and died. I was in a coma for a week. I am still trying to get back on track five years later.

I met [REDACTED] while working at a [REDACTED]
in February 2013. I was trying to test out how well I can work because I just haven't been the same since the coma. She was from the [REDACTED] She reminded me of me a little bit when I came out here. We hung out socially a few times and she was living with a girl named [REDACTED] and two guys. It became a bad living situation so I took her in around April 2013. [REDACTED] came to live here too.

Last month I told [REDACTED] my house was not a party house. She left and took her bags to the place in Ocean Beach. This was in May sometime. I had not met Giacomo yet. [REDACTED] was staying with a guy named [REDACTED] who became violent with her. I think it has to do with all the drugs and alcohol that everyone is on all the time over there.

I met Giacomo two weeks ago. [REDACTED] stopped by and he was with her. Nobody has ever had that big an impact on my life that I have known for so little. We hung out. I let them stay here a few nights.

We hung out during the day. I can't drive right now because I have a suspended license. I was recovering from my fifth ankle surgery and I got into an accident. There was hydrocodone in my system because I had been on it for three years.

Giacomo was here for like a four day period.

Giacomo came over Friday night about 10 pm because I guess there was a big blow out at the Ocean Beach place. [REDACTED] did not come with him. Giacomo came over to drop off some of [REDACTED] clothes because [REDACTED] had taken them. He hung out for a little bit. I think we bonded so quickly because we were both struggling with depression.

I had been through a lot and he had been through a lot too. He told me he was estranged from his parents and he had overdosed on Klonopin before. He said he was from Pittsburgh but I think he was born in Italy. No, he didn't say why he was estranged from his parents.

(Did he tell you if the overdose was intentional or accidental?) I don't know. I think it was one of those I don't care situations.

When he came over that night he asked how my depression was doing. I said it was an okay day. He told me his suicidal thoughts had been really bad today.

(Did he tell you what that looked like for him? Or did you ask him if he was going to commit suicide how would he do it?) When it comes to situations like that I try not to ask a ton of questions. I figure people will share what they want to. Now looking back on it that may have been a cry for help that I missed.

Investigator's Report

Witness: [REDACTED]

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He was here for about an hour, hour and a half. I went to get something out of my room and he came up. He wanted to stay and said no. I went downstairs and he stayed for a while in my room. He came downstairs and he was fine with leaving and gave me a hug good bye.

I woke up on Saturday morning and realized my pills were gone. I had just filled the prescription on Thursday. Giacomo took me to the pharmacy and knew I had them. It was Klonopin, 2mg for anxiety and Restoril which is like an old school sleeping medication. My anti depression medication was left behind. My pharmacy is CMH (County Mental Health). I texted him called and asked for my pills back.

I called and made a theft report with the police (13-021589).

[REDACTED] was unaware of any drug use by Giacomo other than alcohol or marijuana. [REDACTED] reported she had never seen Giacomo with a gun or had any knowledge he had a gun. [REDACTED] did tell me her friend, [REDACTED] mentioned he knew Giacomo had a gun and he helped him put it in his trunk safely.

I concluded my interview with [REDACTED] after about 40 minutes. The interview was recorded in its' entirety. This report is paraphrased, refer to recording for complete details.

Reporting Detective Jana BEARD

I.D. 4807

Homicide Team: V

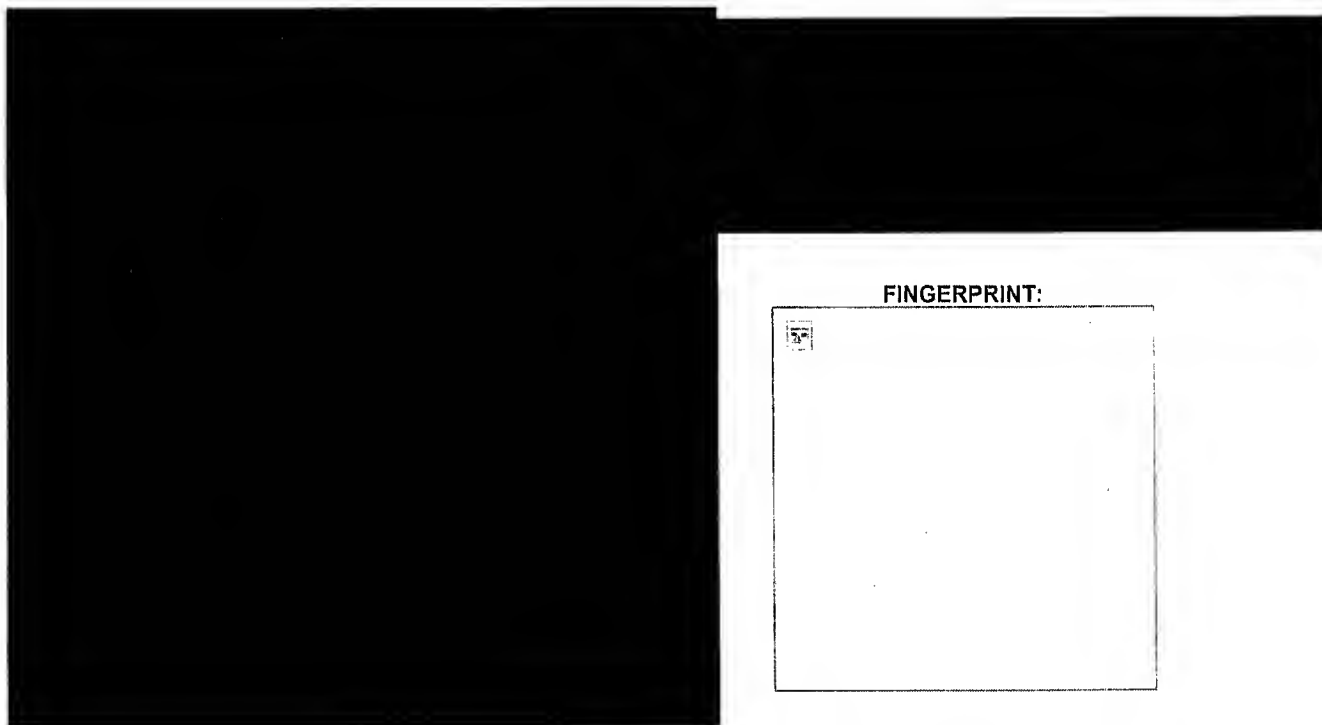
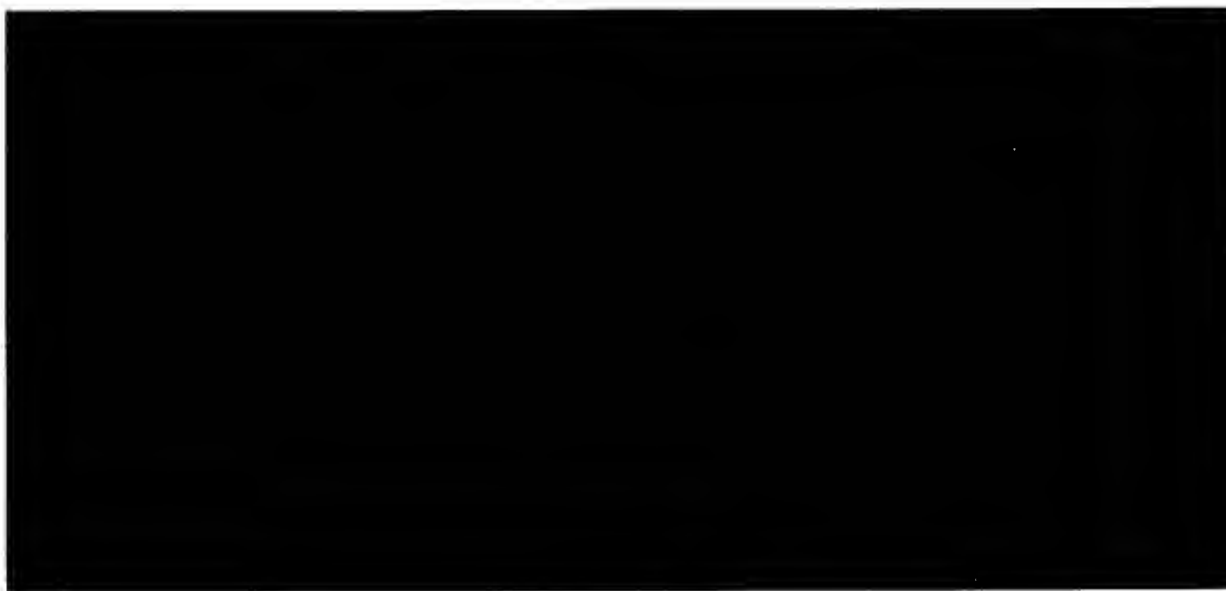
Approved by: [REDACTED]

4754

Date of this report: 06-06-13

Time: 1500

06/11/13



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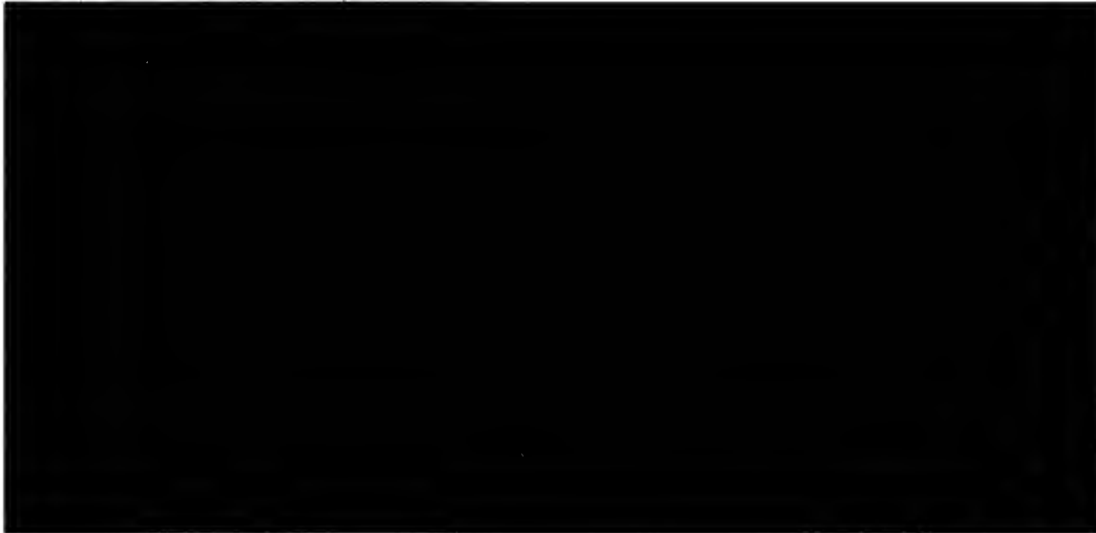
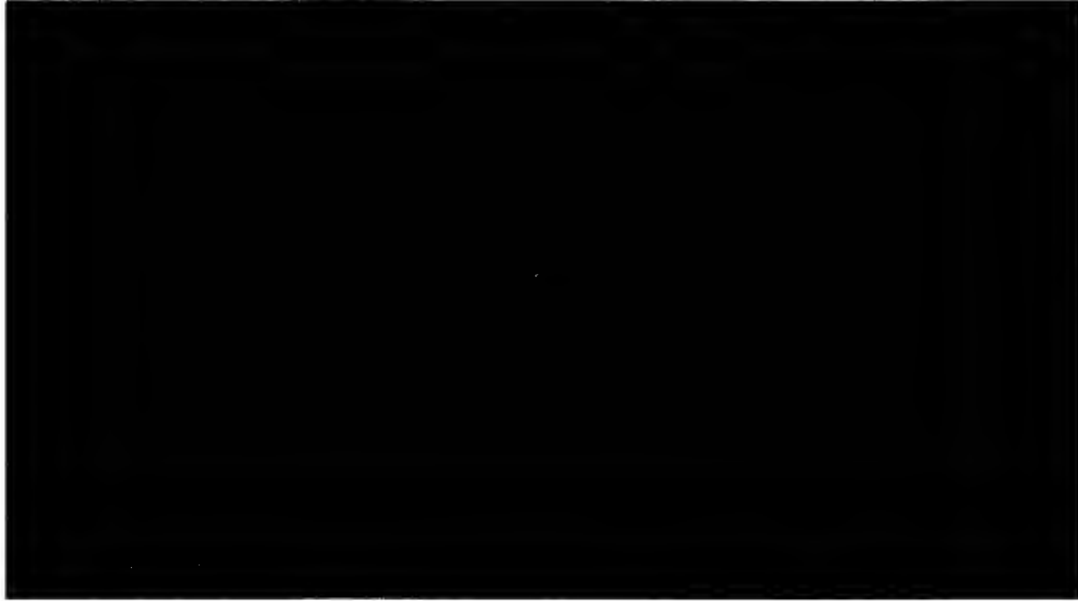
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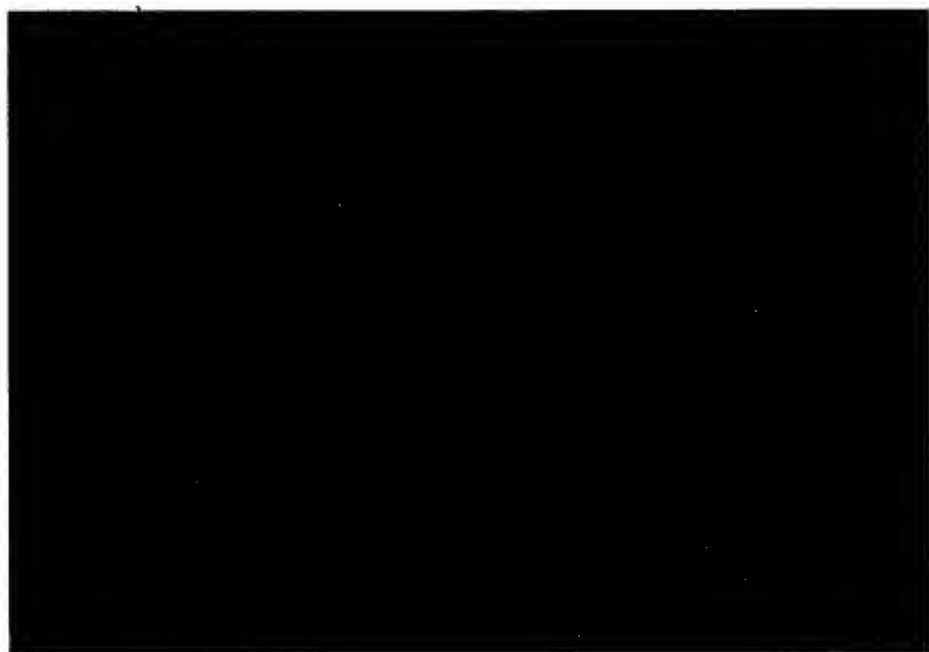
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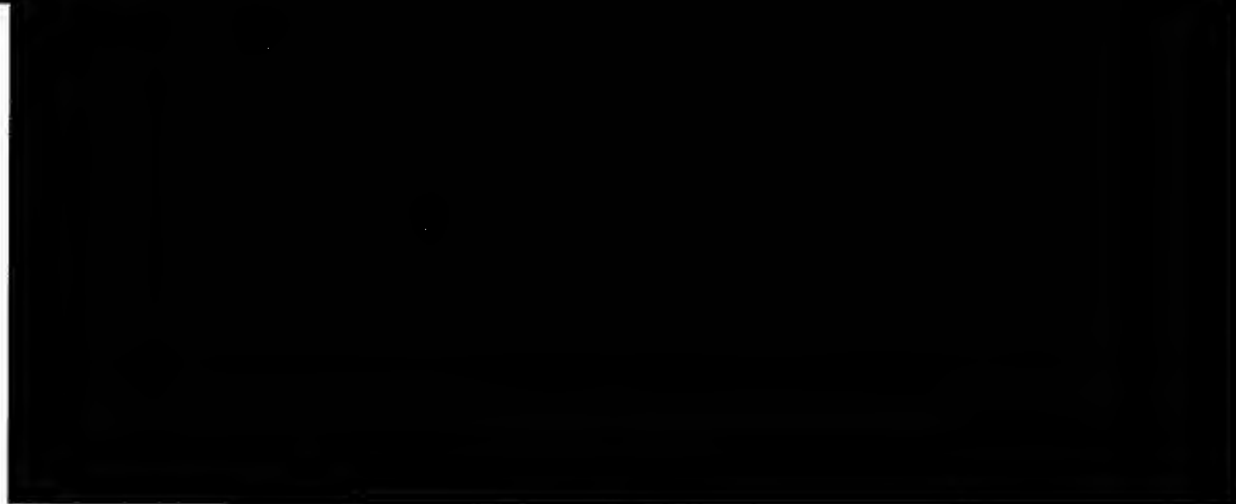
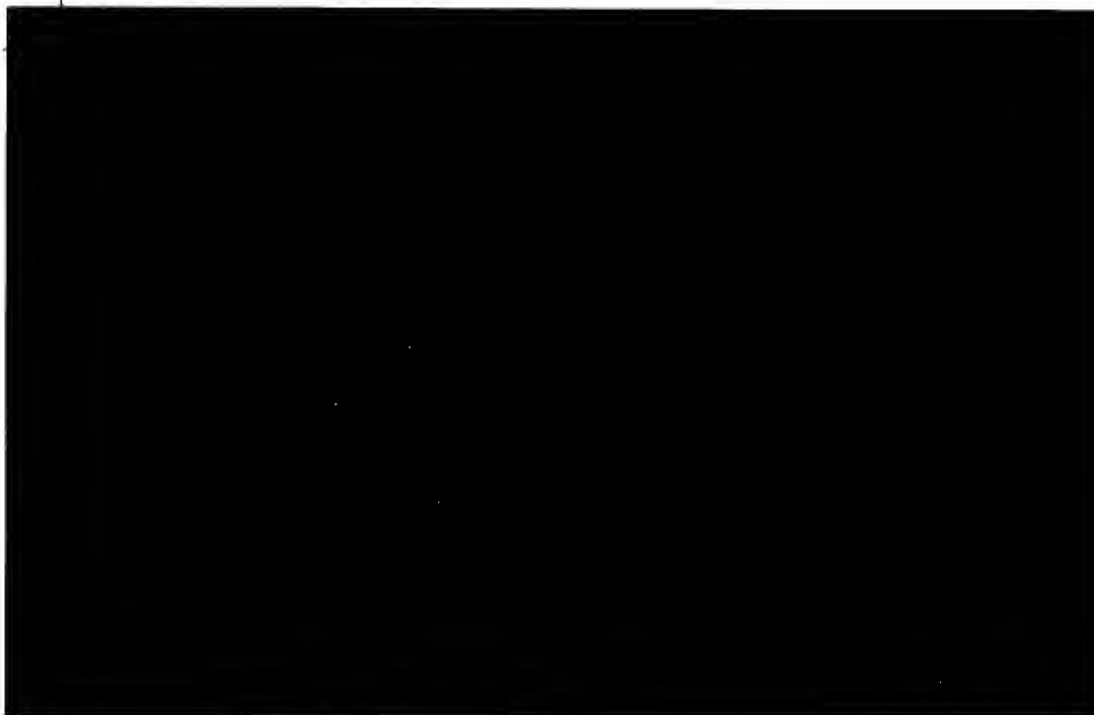
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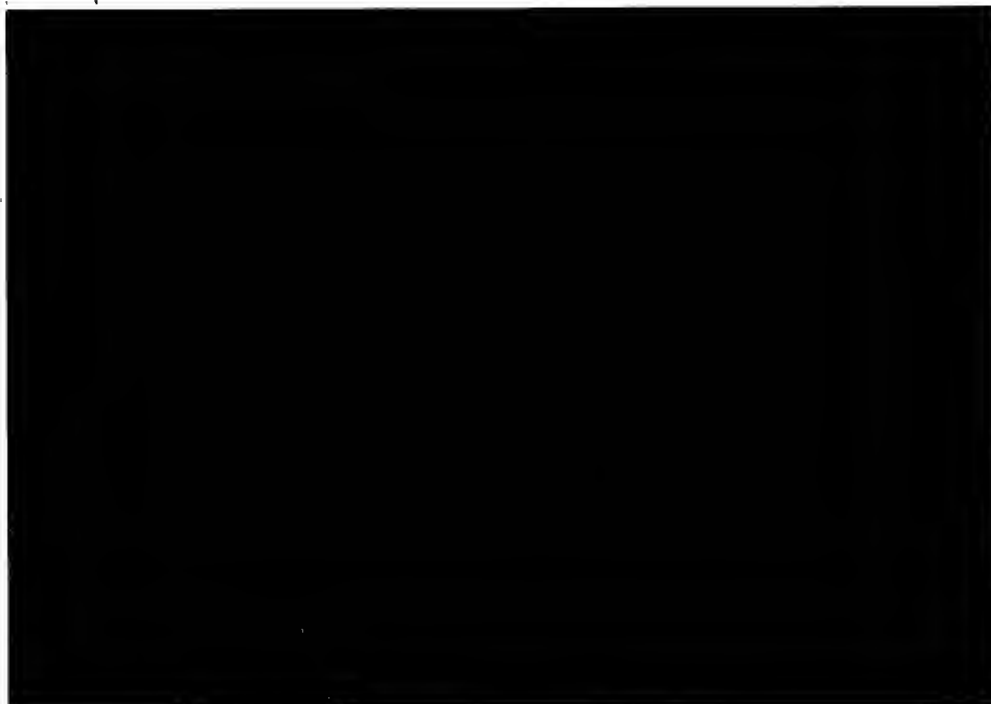




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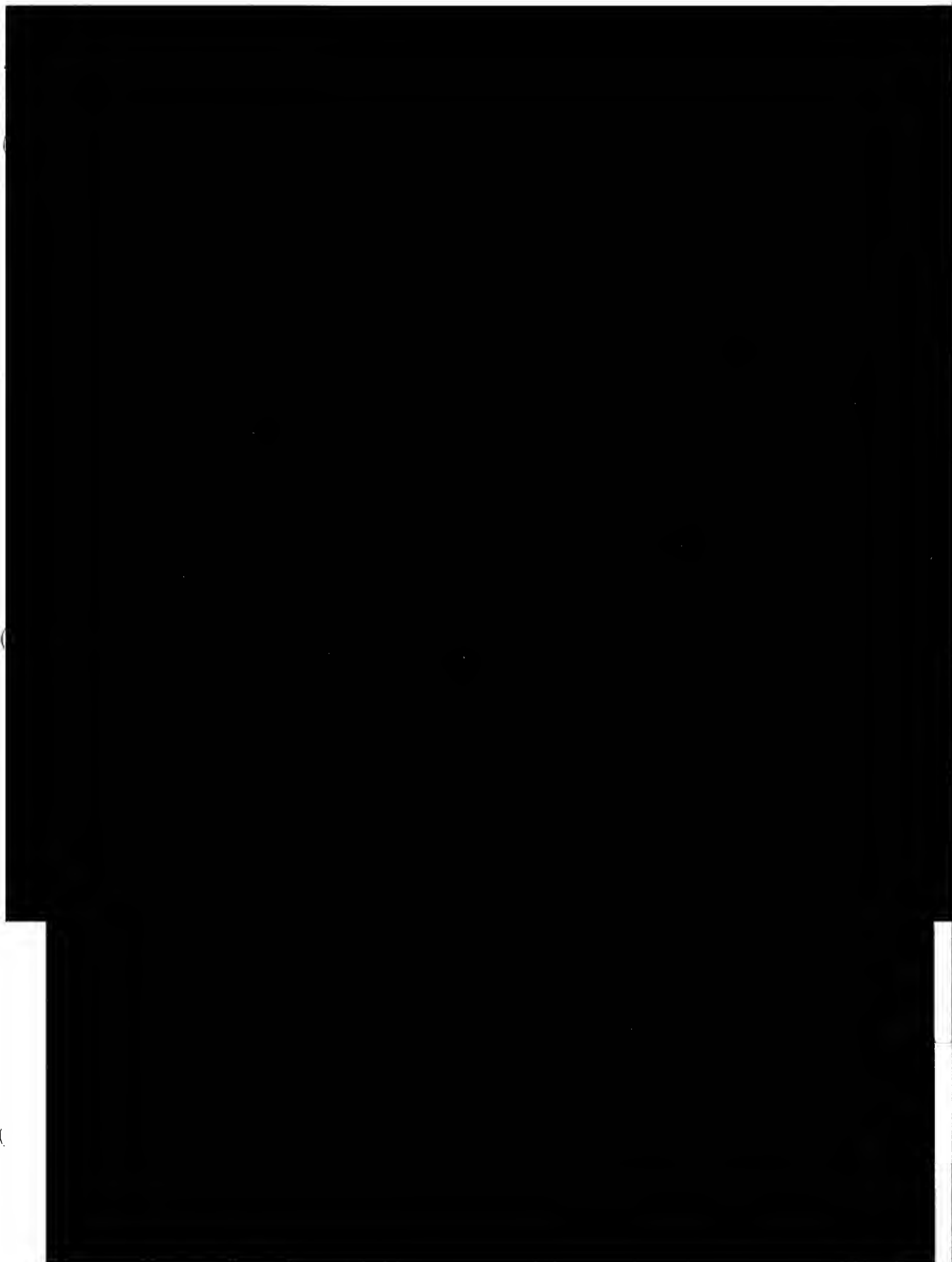


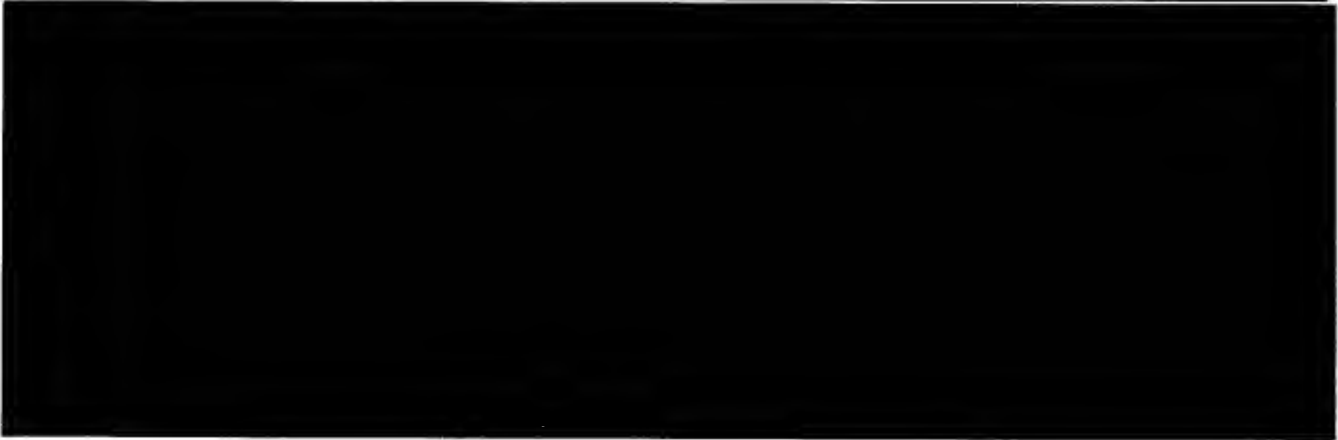
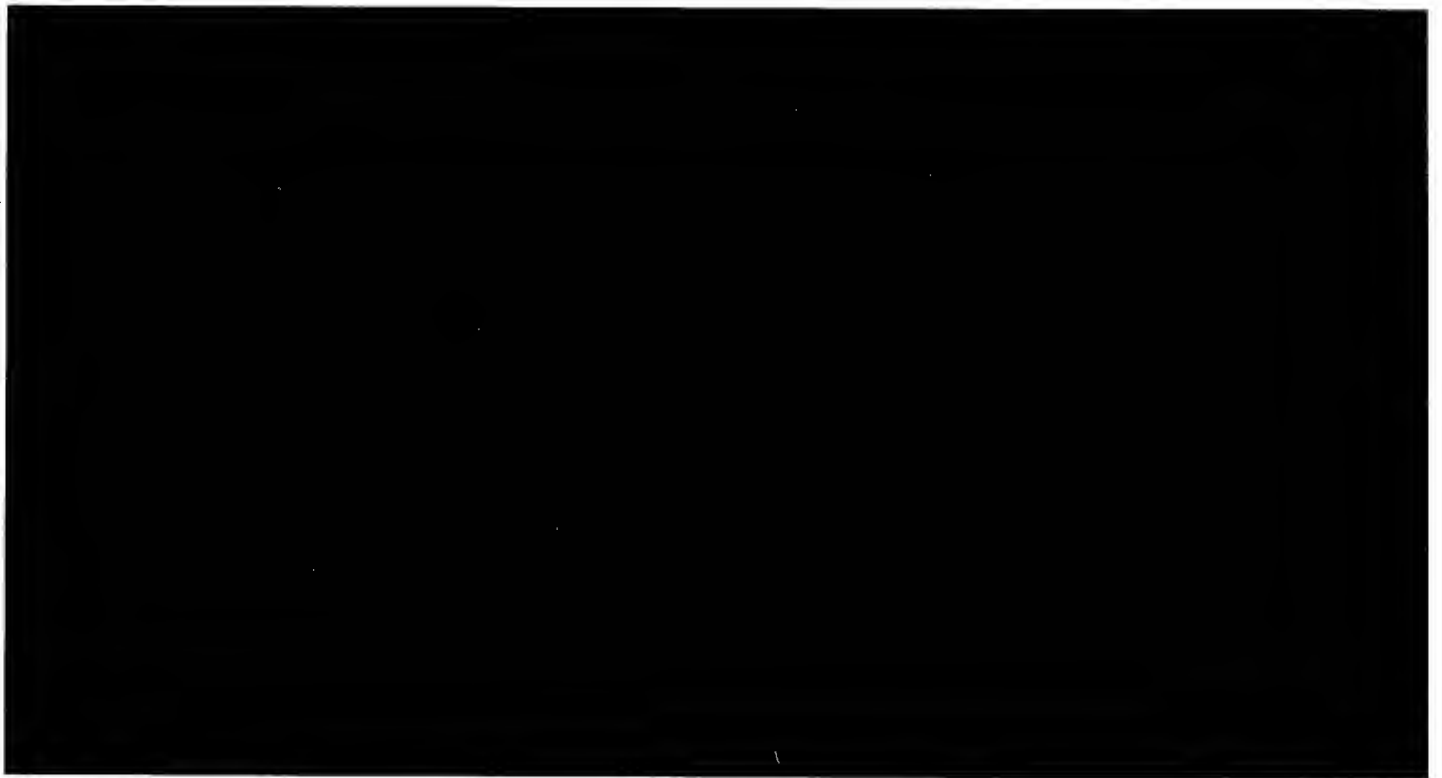


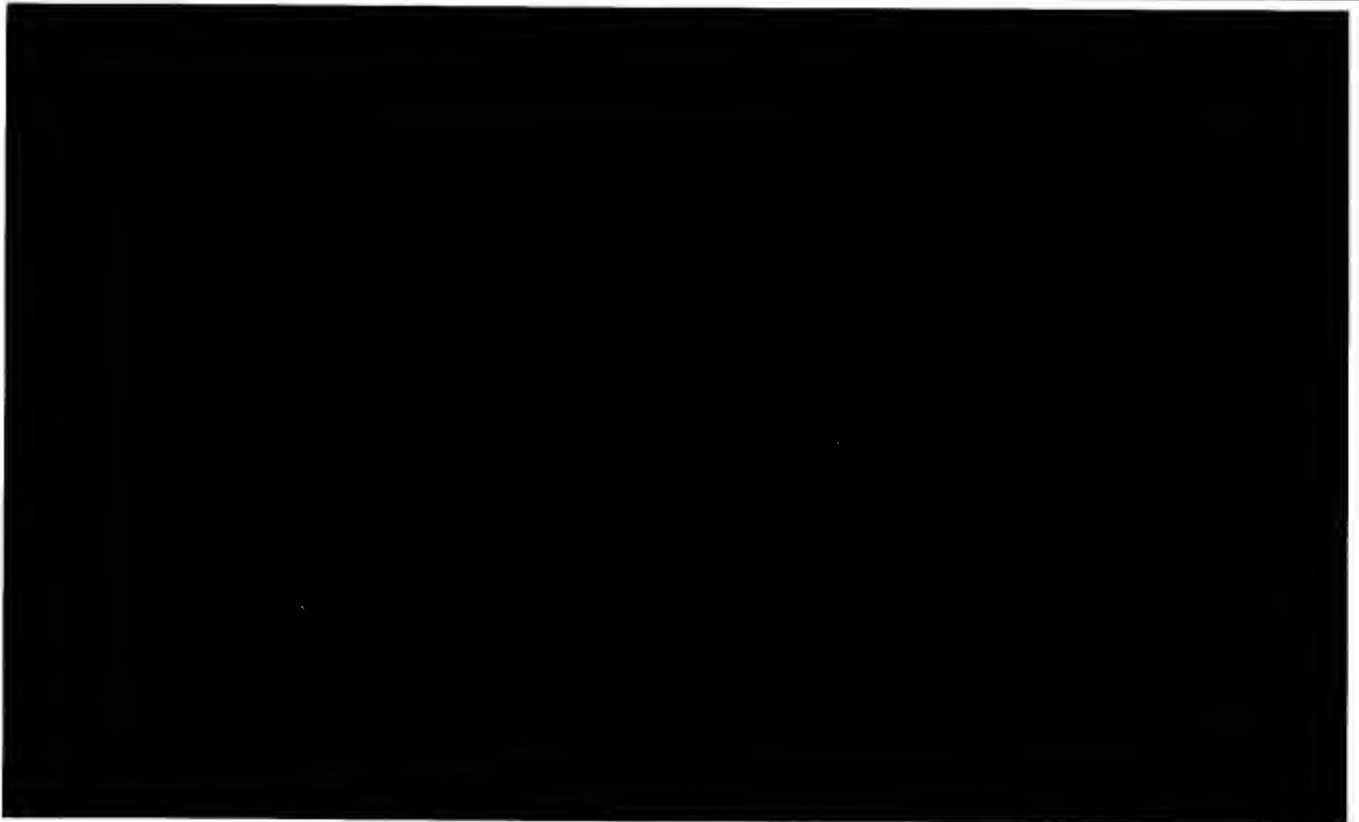
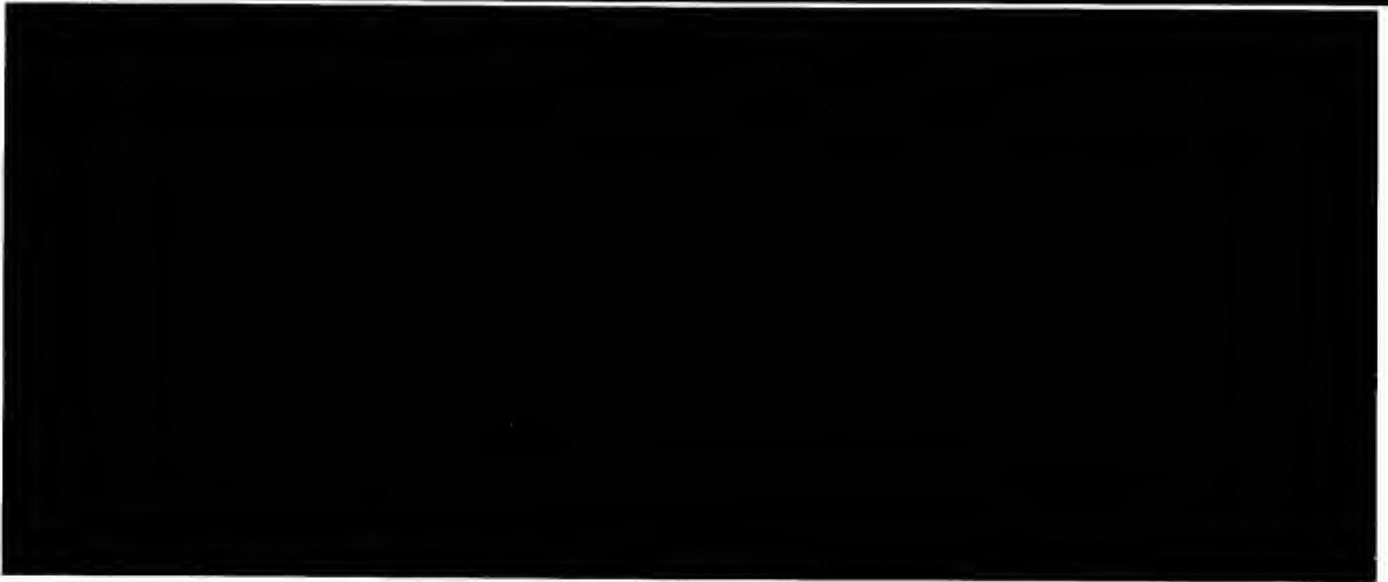
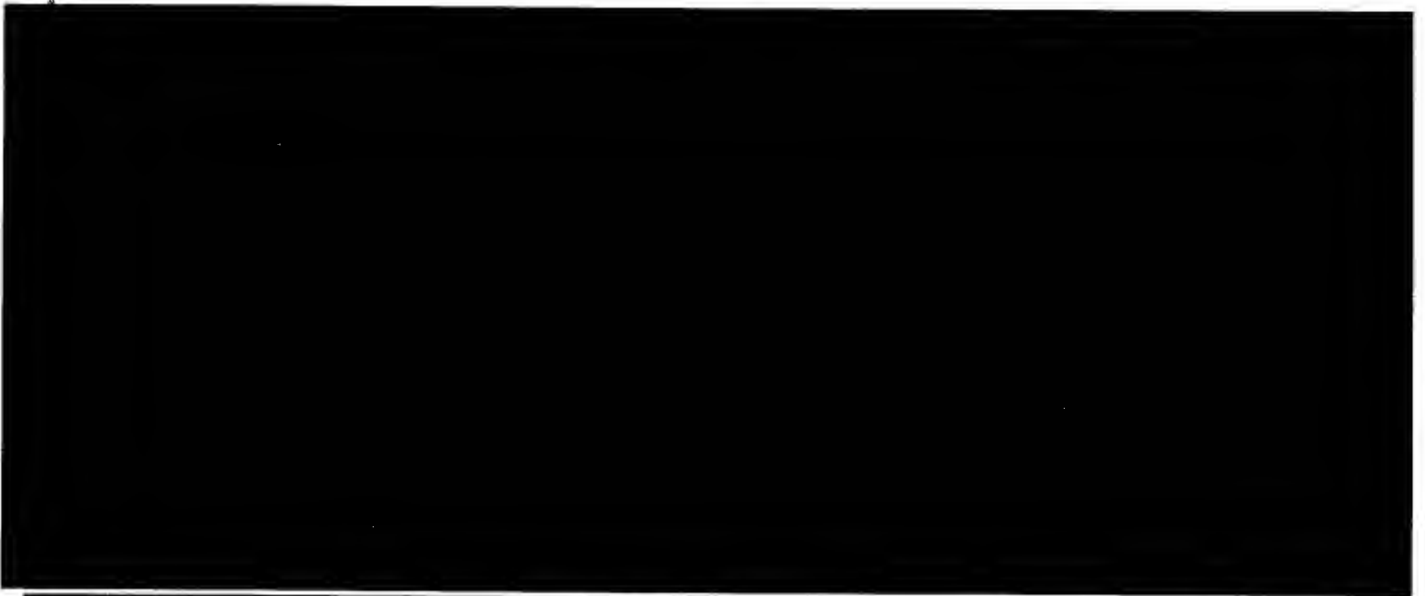
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[REDACTED]

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